



Town of Lancaster

BUILDING DEPARTMENT
21 CENTRAL AVENUE
LANCASTER, NEW YORK 14086
716-684-4171
FAX 685-5317

1/13/2023

The Honorable Town Board
Town of Lancaster
21 Central Ave.
Lancaster, NY 14086

**Re: Special Use Permit
Vehicle Storage Services
6355 Broadway St., Lancaster, NY 14086**

The request for renewal of a Special Use Permit has been reviewed per Chapter 400-78 Special Use Permits and 400-18 General Commercial District of the Code of the Town of Lancaster to operate a Vehicle Storage Services Facility. Originally permitted in a CMS, Commercial Motor Service District, the Use was made nonconforming with the 2020 adoption of the Town's Zoning Code and Zoning Map.

An onsite inspection was completed on January 12, 2023. Several deficiencies and Uses on the parcel were observed. Notification will be made and included as part of this report.

A probationary extension may be appropriate with the original conditions.

- No new or used vehicles, campers, trailers, recreational vehicles or boats displayed for sale on this site.
- No dismantled or damaged vehicles stored on site.
- Renewal of this permit at 2 year intervals with no cost to the applicant.

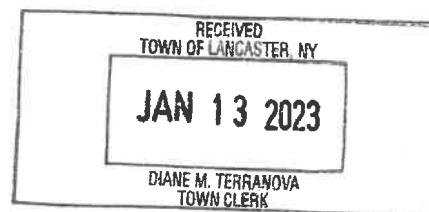
Sincerely,

Matt Fischione, Code Enforcement Officer
Town of Lancaster Building Department
21 Central Avenue
Lancaster, NY 14086

MF

Cc: Thomas Fowler, Jr., Town Attorney

Enc.





Town of Lancaster Building Department

21 Central Avenue
Lancaster, New York 14086
Phone 716-684-4171 Fax 716-685-5317

COPY

Notice of Violation / Order to Remedy

01/13/2023

To: Paul Peter Stephan
PO BOX 242
Lancaster, NY 14086

Property Location: 6355 Broadway St

Tax map #: 117.00-1-27.111

Complaint #: 2023-0053

Date: 01/13/2023

Type: Misc

An apparent violation of the Zoning/Building Laws exists on the above property. I observed:
Business occupancies on premises are not inspected, nor permitted Uses in the General Commercial District.

This is in violation of the law/ordinance as detailed on the following page(s). YOU ARE THEREFORE DIRECTED AND ORDERED to comply with the law and to remedy the conditions on or before the respective compliance dates listed.

THE TOWN OF LANCASTER RESERVES THE RIGHT TO MAINTAIN THE PROPERTY AT THE PROPERTY OWNER'S EXPENSE.

Failure to remedy these conditions and to comply with the applicable provisions of the law may constitute an offense punishable by fine or imprisonment, or both.

Any person, firm, or corporation or other violating any provision of this ordinance shall be deemed guilty of an offense and upon conviction thereof shall be subject to a fine not exceeding \$250, or to imprisonment not exceeding 50 days, or to both such fine and imprisonment, for each and every violation and for each week and every week that such violation continues.

In addition to other penalties, the Town may institute any appropriate action or proceeding to prevent the unlawful erection, construction, alteration, or use of any building or land in violation of the requirements of this ordinance.

Matt Fischione, Code Enforcement Officer

TOWN OF LANCASTER
BUILDING DEPARTMENT

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OUTSTANDING VIOLATIONS AND CORRECTIVE ACTIONS REQUIRED

Property Address: 6355 Broadway St
Tax Map # 117.00-1-27.111

Complaint

Violation Date: 1/13/2023

Corrective Action: Contractor's yard is not a Permitted Use in the General Commercial District.

Authority/Section/Code: Lancaster Town Code\Chapter 400 Zoning\Article V Commercial Districts\400-18 General Commercial (GC)\400-18 B. Permitted uses

Details: Principal and accessory uses allowed in this district are set forth in Schedule A to this chapter and are as follows:

(1) Principal uses.

(a) All principal uses allowed by right and by special use permit in the Light Commercial District. No residential uses shall be permitted.

(b) Farm, lawn, and garden supply outlets and nursery facilities.

(c) Funeral parlors and mortuaries, with attendant or owner apartment.

(d) Lumber and other building materials and services.

(e) Newspaper printing.

(f) Gas station, with a special use permit and site plan approval.

(g) Tire, battery, and accessories store, with a special use permit and site plan approval.

(2) Accessory uses.

(a) All accessory uses allowed in the Light Commercial District.

(b) Greenhouses and nurseries.

Comply By Date: 2/13/2023

Violation Date: 1/13/2023

Corrective Action: Obtain Operational Permits for existing buildings and Uses.

Authority/Section/Code: Lancaster Town Code\Chapter 140 Construction Codes, Uniform\Article I Fire Prevention and Building Code\140-5 Permits; fees\140-5 A Permits\140-5 A (1) Application

Details: Applications for permits under this article shall be made to the Building Inspector of the Town of Lancaster with payment of the required permit fee to the Town Clerk. Upon approval of the permit application, the Building Inspector shall issue a permit to the applicant, which permit shall specify:

(a) The activity or operation for which the permit is issued.

(b) The address and location where the activity or operation is to be conducted.

(c) The name and address of the permittee.

(d) The permit number and date of issuance.

(e) The period of permit validity.

Comply By Date: 2/13/2023

Violation Date: 1/13/2023

Corrective Action: Special Use Permit does not include trucking company storage within the area of the provided Site Plan.

Authority/Section/Code: Lancaster Town Code\Chapter 400 Zoning\Article XIV Administration and Enforcement\400-78 Special Use Permits\400-78 F Inspections, violations, and revocation

Details: (1) The Code Enforcement Officer has the authority to conduct inspections of specially permitted uses. A

COPY

permittee's refusal of access for an inspection shall be a violation of the Zoning Law.

(2) A violation of the terms or conditions of a special use permit, or using the property in a manner not specifically permitted by the special use permit is a violation of the Zoning Law and is punishable as provided for in § 400-80.

(3) Whenever it shall appear to the Town Board, based on investigation or complaint from the public or other office of the Town, that a permit holder is not complying with a condition of a special use permit, or if the permit holder denies access for an inspection, the Town Board may, after holding a public hearing at which the permit holder is given an opportunity to be heard, order the revocation of the special use permit either immediately, or after a cure period, if the permit holder fails to cure the violation. Upon revocation of the permit, the use shall immediately cease and desist until a new special use permit is issued by the Town Board. This shall be in addition to, and not in lieu of, any other enforcement efforts as provided for by applicable law.

Comply By Date: 2/13/2023

Violation Date: 1/13/2023

Corrective Action: Enclose on site waste container as prescribed in Town Code.

Authority/Section/Code: Lancaster Town Code\Chapter 400 Zoning\Article V Commercial Districts\400-19 Supplementary Regulations for LC and GC Districts\400-19 B. Enclosure of waste materials

Details: All waste materials, including garbage and trash, shall be stored in covered containers in a screening or enclosure at least as tall as the trash containers they store. Gates on enclosures shall be kept closed at all times except for when trash is being removed.

Comply By Date: 2/13/2023

Violation Date: 1/13/2023

Corrective Action: Obtain a building permit for storage containers/structures.

Authority/Section/Code: Lancaster Town Code\Chapter 258 Permit and Application Fees\258-2 Building Permits Required

Details: Before any person shall erect, construct, alter, move, demolish or commence to erect, construct, alter, move or demolish any building or structure within the Town of Lancaster exclusive of the villages therein, such person shall first apply for and obtain a building permit from the Building Inspector upon the prescribed form.

Comply By Date: 2/13/2023

Reply By Date: 1/27/2023

Town of Lancaster

TOWN PLANNING BOARD
21 Central Avenue
Lancaster, New York 14086

January 4, 2023

Planning Board Members:

Carlo DiRienzo, Chair
Rebecca Anderson
John Copas
Anthony Gorski
Joseph Keefe
Lawrence Korzeniewski
Michael Reinhold

Town Board Members:

Ronald Ruffino, Sr., Supervisor
Mark Burkard
Adam Dickman
Robert Leary
David Mazur

Engineering Consultant:

Ed Schiller, Wm. Schutt & Associates

Town Attorney:

Thomas E. Fowler, Jr.

Town Highway Superintendent:

John Pilato

Building & Zoning Inspector:

Matthew Fischione

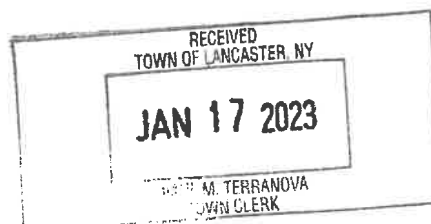
Gentlemen/Ladies:

Enclosed is a draft copy of the minutes of a meeting of the Planning Board of Lancaster which was held January 4, 2023. Please review it for errors and completeness. These minutes will not become final until approved at a subsequent Planning Board meeting, and may be amended before approval.

Sincerely yours,

Carlo DiRienzo
Planning Board Chair

CD:cm
Encl.



A meeting of the Planning Board of the Town of Lancaster, Erie County, New York was held at Town Hall, 21 Central Avenue, Lancaster, NY, on the 4th day of January 2023 at 7:00 P.M. and there were present:

PRESENT: Carlo DiRienzo, Chair
Rebecca Anderson, Member
John Copas, Member
Anthony Gorski, Member
Joseph Keefe, Member
Lawrence Korzeniewski, Member
Michael Reinhold, Member

EXCUSED: Councilmember Dave Mazur

ABSENT: None

ALSO PRESENT: None

Town Board Members: None

Other Elected Officials: None

Town Staff: Thomas E. Fowler, Jr., Town Attorney
Emily Orlando, Deputy Town Attorney
Ed Schiller of Wm. Schutt & Assoc.
Matt Fischione, Code Enforcement Officer
Cyndi Maciejewski, Secretary

Meeting called to order by Chair DiRienzo at 7:00p.m.

Pledge of Allegiance led by Chair DiRienzo.

Minutes-A motion was made by Lawrence Korzeniewski to approve the minutes from the December 7, 2022 Planning Board Meeting. Motion seconded by John Copas.

Roll call as follows:

Chairman DiRienzo-Yes

Joseph Keefe-Yes

Rebecca Anderson-Yes

Lawrence Korzeniewski-Yes

John Copas-Yes

Michael Reinhold-Yes

Anthony Gorski-Yes

Motion carried.

Communications list attached.

PRELIMINARY PLAT PLAN REVIEW – PROJECT #2020, FIELDSTREAM SUBDIVISION, LOCATED ON THE NORTH SIDE OF WILLIAM STREET, 52 LOT SUBDIVISION TO BE SERVICED BY A NEW PUBLIC ROADWAY. APPROXIMATELY 1,900 FT IN LENGTH WILL INTERSECT WITH WILLIAM STREET. NEW UTILITIES INCLUDING STREET LIGHTING, PUBLIC WATER, PUBLIC SANITARY SEWER AND STORM SEWER WILL BE INSTALLED ALONG THE NEW ROADWAYS TO SERVE ALL OF THE PROPOSED LOTS.

Anthony Pandolfe of Carmina Wood Design reviewed the 40 lot subdivision which had started with 52 lots on the north side of William Street across from Summerfield Subdivision. There are Federal wetlands on the north side of the subdivision with a 100' buffer. A conservation area will be created to encompass the wetlands and an ERPOD district will be established. An update was made to the plat plan which shows the sidewalk ramps between the road and stop signs for increased safety. Also shown is the restriping of William Street to restrict passing as per Erie County Highways letter of 12/23/21. The traffic study submitted was on 52 lots and not the reduced 40 lots now presented. A 4' wide shoulder will be added along the frontage of the homes fronting on William Street.

Ed Schiller, Engineer, approved the SWPPP for the project.

One of the outstanding concerns is the roadway of Fieldstream not aligning with Avian Way. The driveways of the 6 homes that exit onto William Street will have T-turnarounds provided. The condition of the soils is poor and the sewer capacity study conducted in 8/20 required a 1/2" of rain but the sewer capacity is being questioned. A large amount of fill will need to be brought in and no variances are needed or currently requested.

The zoning of the parcel is currently AR and for code compliance reasons if used as a R-residential use, the change in zoning should be made to conform. A Natural Heritage Study was not conducted and therefor there is no way of knowing what species may have been removed from the site until the spring. County guidelines regarding the offset of another roadway is

100', however with driveways in between, this can create a hazard. Monroe County follows a 200' offset. If the roadway into Fieldstream and Avian Way were lined up, 8 more lots would be lost and the project would not be financially feasible.

It was noted that the speed limit changes to the east of this and the Summerfield Subdivision. The drainage documents are being addressed and more defined drainage detail is to be reviewed. The detail of the swale profile was requested to be added to future documents.

Planning Board Minutes

SEQR Review

January 4, 2023

The Planning Board held its meeting at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 4th day of January 2023 at 7:23p.m. and there were

PRESENT: REBECCA ANDERSON, PLANNING BOARD MEMBER
JOHN COPAS, PLANNING BOARD MEMBER
ANTHONY GORSKI, PLANNING BOARD MEMBER
JOSEPH KEEFE, PLANNING BOARD MEMBER
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER
MICHAEL REINHOLD, PLANNING BOARD MEMEBER
CARLO DIRIENZO, PLANNING BOARD CHAIR

EXCUSED: DAVID MAZUR, COUNCILMEMBER

ALSO PRESENT: THOMAS E. FOWLER, JR., TOWN ATTORNEY
EMILY ORLANDO, DEPUTY TOWN ATTORNEY
MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER
ED SCHILLER, ENGINEER, WM. SCHUTT & ASSOC.
CYNDI MACIEJEWSKI, SECRETARY

PURPOSE OF MEETING:

IN THE MATTER OF THE STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) OF THE
FIELDSTREAM SUBDIVISION

LOCATED 6061 BROADWAY ON THE NORTH SIDE OF WILLIAM STREET

The Planning Board reviewed the Full Environmental Assessment Form on the local law and discussed the impact and magnitude as outlined on the Full Environmental Assessment Form entitled "Part 2 Identification of Potential Project Impacts" which was provided to each member.

PLEASE TAKE NOTICE, that the Planning Board of the Town of Lancaster, acting as an advisory committee to provide input to the Town Board, the designated lead agency under the State Environmental Quality Review Act (SEQRA), has reviewed the following described proposed action, which is an **Type 1 action**, and that committee recommends that there are no significant adverse environmental impacts relative to the criteria found in 6 NYCRR §617.d, and further recommends that the lead agency **TABLES THE SEQR REVIEW** for the purposes of Article 8 of the Environmental Conservation Law in accordance with §617.12.

NAME AND ADDRESS OF LEAD AGENCY

Lancaster Town Board
21 Central Avenue
Lancaster, New York 14086
Thomas E. Fowler, Jr., Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed single family subdivision affects 50.3 acres of land.

The location of the premises being reviewed is 6061 Broadway, on the north side of William Street, Town of Lancaster, New York 14086, Erie County.

This project described as a single family subdivision affects 22 acre physically disturbed area.

**THE FOLLOWING MOTION TO TABLE WAS OFFERED BY MEMBER ANDERSON,
WHO MOVED ITS ADOPTION, SECONDED BY MEMBER KORZENIEWSKI ,
TO WIT:**

REASONS SUPPORTING RECOMMENDATION

1. Impact on land – Moderate to large impact.

The proposed action may involve construction on land where depth to water table is less than 3' -Moderate to large impact.

The proposed action may involve construction on land where bedrock is exposed, or generally within 6' of existing ground surface.

The majority of the site will be fill.

This is a single phase, one year infrastructure build subdivision with the homes to take more than one year.

2. Impact on Geological Features – No impact

3. Impacts on Surface Water – Small impact.

The proposed action may involve the application of pesticides or herbicides in or around any water body. Use of lawn care products.

4. Impact on Groundwater – No impact

5. Impact on Flooding – No impact

The proposed action may result in, or require, modification of existing drainage patterns. Water will flow to existing swale.

6. Impact on Air – No impact

7. Impact on Plants and Animals – Moderate to large impact.

Land was farmed and then reverted back to a meadow with disturbance in the front.

The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site. Letter from the DEC states that it is the responsibility of the applicant to supply the information. A study in the spring could be beneficial to see what species come back.

The land was not reviewed before disturbed.

The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.

The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.

The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community.

The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project sight.

The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. 22 acres disturbed.

8. Impact on Agricultural Resources – Moderate to large impact

The site is not inside of an AG District. The AG District is to the Northeast.

Planning Board will come back to 8 a & b for review.

The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.

The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.

The proposed action may disrupt or prevent installation of an agricultural land management system.

9. Impact on Aesthetic Resources – No impact

10. Impact on Historic and Archeological Resources – No impact

11. Impact on Open Space and Recreation – No impact

12. Impact on Critical Environmental Areas – N/A

- The Town of Lancaster has not established a Critical Environmental Area (CEA).

13. Impact on Transportation – Moderate to large impact

**Projected traffic increase may exceed capacity of existing road network.
This is the tipping point for William Street.**

The driveway not aligning up with Avian Way creates the potential for conflicts and creates hazards.

14. Impact on Energy – No impact

Use of energy not used before.

15. Impact on Noise, Odor and Light – No impact

Note made regarding the lighting impact on a parcel that previously had no source of light.

16. Impact on Human Health – No impact

17. Consistency with Community Plans – No impact.

18. Consistency with Community Character – No to small impact.

The proposed action may create a demand for additional community services (e.g. schools, police and fire)

Proposed action is inconsistent with the character of the existing natural landscape.

and,

the tabling of the SEQR review was duly put to a vote which resulted as follows:

REBECCA ANDERSON, PLANNING BOARD MEMBER	VOTED YES
JOHN COPAS, PLANNING BOARD MEMBER	VOTED YES
ANTHONY GORSKI, PLANNING BOARD MEMBER	ABSTAIN
JOSEPH KEEFE, PLANNING BOARD MEMBER	VOTED YES
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER	VOTED YES
MICHAEL REINHOLD, PLANNING BOARD MEMBER	VOTED YES
CARLO DIRIENZO, PLANNING BOARD CHAIR	VOTED YES
The Motion to table was thereupon adopted.	

January 4, 2023

Tool Ranch was removed from the agenda by the applicant. The timeframe to begin SEQR review does need to be maintained. There is a Webinar for the SEQR review available for members to view on demand.

Chair DiRienzo thanked outgoing Chair Connelly for his years of service as a member and Chair of this community.

Motion made by Rebecca Anderson at 8:14p.m. to adjourn the meeting. Seconded by John Copas
Motion carried.

TOWN OF LANCASTER PLANNING BOARD

COMMUNICATIONS LIST FOR JANUARY 4, 2023

- 1.04.01 Letter dated 12/15/22 from Ed Schiller, Town Engineer, with comments regarding 6130 Broadway.
- 1.04.02 Letter dated 12/15/22 from Ed Schiller, Town Engineer, with comments regarding Genesee Lane Park Development.
- 1.04.03 Letter dated 12/21/22 from Ed Schiller, Town Engineer, with comments regarding 3857 Walden Ave., the Tool Ranch.
- 1.04.04 Letter dated 12/12/22 from the Lancaster Police Department indicating no issues with the Genesee Park Lane Development.
- 1.04.05 Copy of resolution adopted by the Town Board on 12/05/22 approving the amended site plan for the project at 2753 Wehrle Dr., the Angry Buffalo.
- 1.04.06 Memos from John Pilato, Highway Superintendent, indicating no comment regarding the Genesee Park Lane Development, 6130 Broadway, and Edgewater East.
- 1.04.07 Memo dated 12/08/22 from Michelle Barbaro, Deputy Highway Superintendent, indicating the Parks, Recreation, & Forestry Department has no issues with the Genesee Park Lane Development.
- 1.04.08 Letter dated 12/05/22 from Matt Fischione, Code Enforcement Officer, with comments regarding the Genesee Park Lane Development.
- 1.04.09 Letter dated 12/27/22 from Matt Fischione, Code Enforcement Officer, with additional comments regarding the Genesee Park Lane Development.
- 1.04.10 SEQR response dated 12/05/22 from the ECWA regarding 6218 Broadway.
- 1.04.11 SEQR response dated 12/06/22 from the ECWA regarding the proposed Pine Hill Estates.
- 1.04.12 SEQR response dated 12/08/22 from the NYS DEC regarding Basil Car Storage.
- 1.04.13 SEQR response dated 12//13/22 from the NYS DEC regarding Pine Hill Estates.
- 1.04.14 SEQR response dated 12/14/22 from the NYS DEC regarding the rezone and site plan for 6130 Broadway.
- 1.04.15 SEQR response dated 12/07/22 from the ECWA regarding 6130 Broadway.
- 1.04.16 SEQR response dated 12/19/22 from the Erie County Division of Sewerage

Management regarding Basil Car Storage.

1.04.17 SEQR response dated 12/14/22 from the Erie County Department of Environment and Planning regarding 6218 Broadway.

1.04.18 SEQR responses dated 11/17/22 and 12/14/22 from the Erie County Divisions of Sewerage Management and Environment and Planning, respectively, regarding the Tool Ranch at 3857 Walden Ave.

1.04.19 Letter dated 12/08/22 from Matt Fischione, Code Enforcement Officer, indicating a followup to our discussion with Emily Root of the Buffalo Niagara

Waterkeeper. They will be willing to review some of the projects that are proposed near "troubled waters".

STATE OF NEW YORK
COUNTY OF ERIE
OFFICE OF THE ERIE COUNTY LEGISLATURE

RECEIVED
TOWN OF LANCASTER, NY

JAN 18 2023

DIANE M. TERRANOVA
TOWN CLERK

THE PEOPLE OF THE STATE OF NEW YORK
TO DIANE M. TERRANOVA
RECEIVER OF TAXES AND ASSESSMENTS

666

GREETINGS

YOU ARE HEREBY COMMANDED, pursuant to the provisions of Chapter 62 of the Laws of 1909 (The State Tax Law) and acts amendatory thereof and supplemental thereto and pursuant to the provisions of Chapter 812 of the Laws of 1942 (The Erie County Tax Act) to receive and collect, prior to the first day of May next ensuing the delivery of this warrant, from the several persons and corporations and on the properties named and described in assessment rolls of the **Town of Lancaster** which this warrant is annexed and herewith delivered to you, the several sums mentioned as taxes in the last column of such roll opposite the respective names or properties, together with your fees and penalties and interest charges as herein set forth.

YOU ARE HEREBY COMMANDED, out of monies so collected, to pay over, upon the dates and in the manner fixed by law, as follows:

FIRST. To the Supervisor of the above named town for support of highways and bridges' and for returned highway taxes, the sum of:

Four Million, Six Hundred Forty Thousand, Seven Hundred Fifty-One Dollars & 00/100 **\$ 4,640,751.00**

SECOND. To the Supervisor of the above named towns, for all other town expenses, the sum of:

Twenty-One Million, Fifty-Four Thousand, Four Hundred Twenty-One Dollars & 34/100 **\$ 21,054,421.34**

THIRD. To the Commissioner of Finance the residue of monies to be collected being the sum of:

Twenty-Seven Million, Two Hundred Eighty-Four Thousand, Six Hundred Twenty-Four Dollars & 45/100 **\$ 27,284,624.45**

TOTAL TO BE COLLECTED: \$ 52,979,796.79

The Commissioner of Finance is hereby authorized, and this shall be his Warrant, to collect in the manner provided by Law any and all taxes appearing on this roll and not collected by the above named Receiver

IN WITNESS WHEREOF, the Legislature of the County of Erie, has pursuant to law, caused this warrant to be signed by its chairman and clerk and the seal of the County of Erie to be affixed on this the 5th day of January 2023.

BY THE ORDER OF THE LEGISLATURE OF ERIE COUNTY

April Barker
CHAIRMAN

[Signature]
CLERK

FEES, TO THE CITY TREASURER OR RECEIVER OF TAXES IN TOWNS OF THE FIRST CLASS PAYABLE BY PROPERTY OWNER:

On taxes collected	February 16 to February 28 inclusive	1.5 per cent	On taxes collected	April 1 to April 17 inclusive	6.0 per cent
On taxes collected	March 1 to March 15 inclusive	3.0 per cent	On taxes collected	April 18 to May 1 inclusive	7.5 per cent
On taxes collected	March 16 to March 31 inclusive	4.5 per cent			

FEES, TO COLLECTOR, TOWN OF THE SECOND CLASS: On taxes collected March 16 to May 1 inclusive 7.5 per cent

Interest on taxes paid on or after May 2 is calculated by adding the 7.5% penalty fee to the levy forming the base of the tax then due, interest is 1.5% per month of the base making 18.7875% in all, when unpaid taxes are sold in November.

RETURNS AND PAYMENTS BY COLLECTOR: Payments to Supervisor may be made at any time. Receipt in duplicate must be given the collector, one copy for his own retention; one copy to be filed with the Commissioner of Finance.

MARCH 1. The collector must make a return to the Commissioner of Finance and pay over all money in his hands.

APRIL 1. The collector must make a return to the Commissioner of Finance and pay over all money in his hands.

MAY 2. The collector must return his tax roll; make a verified list of unpaid taxes and pay to the Commissioner of Finance the balance due as shown by his warrant. If the collector, refuses or neglects to pay over the monies collected by him or account for the unpaid taxes within five days after the above dates, it is the duty of the Commissioner of Finance to apply to the County Court for an order commanding the Sheriff to collect the full amount of the warrant unaccounted for, by levy upon the real and personal property of the collector, (section 303 Tax Law).

A. TOWN HIGHWAY MONIES

Highway Fund (item #1) Bridge Fund (item #2)
Machinery Fund (item #3) Miscellaneous Fund (item #4)
Payable to Supervisor for above items **\$ 4,640,751.00**

B. OTHER TOWN EXPENDITURES

1. Town Expenses as per budget:
General expense \$ 8,632,465.00
Transfer of Exempt Property Town \$ 31,252.41
Police Fund \$ 4,396,587.00
TOTAL \$ 13,060,304.41

2. SPECIAL DISTRICT EXPENSES

Refuse District \$ 2,627,072.00
Lighting District \$ 272,587.00
Fire Protection District \$ 4,124,768.00
Water Districts \$ 967,052.00
Delinquent Water ECWA \$ 1,807.93
Property Clean Up \$ 830.00
TOTAL \$ 7,994,116.93

TOTAL PAYABLE TO SUPERVISOR \$ 25,695,172.34

C. FOR COUNTY EXPENDITURE

1. For County Expenses:
County Service Tax as apportioned \$ 16,804,665.65
Library tax as apportioned \$ 1,576,933.12
TOTAL \$ 18,381,598.77

2. For Town Indebtedness to County:

Deficiency in prior levy \$ 99.46
Expenses in town elections \$ 435,535.00
Community College Payments \$ 170,663.44
Erie County Sewer \$ 2,335,105.90
Erie County Sewer Flow \$ 552,637.80
Erie County Sewer Flat Usage Fee \$ 4,032,755.00
Erie County Sewer Premium Assessment \$ 48,862.94
TOTAL \$ 7,575,659.54

3. Re-assessed Taxes

Unpaid Village Tax \$ 311,224.23
Unpaid School Tax \$ 981,427.30
Transfer Exempt Property (County Tax) \$ 34,714.61
TOTAL \$ 1,327,366.14

4. Credit

TOTAL TO COMMISSIONER OF FINANCE \$ 27,284,624.45

County Tax Rates

County Service Tax 4.277368
Library Tax 0.387407
Total County Tax 4.664775

Town Tax Rates

General Town (Town) 2.142827
General Town (Village Depew) 2.058061
General Town (Village Lancaster) 2.058061
Highway (Town) 1.481313
Highway (Village Depew) 0.153018
Highway (Village Lancaster) 0.153018
Police Fund (Town) 1.198056
Police Fund (Village Lancaster) 1.198056

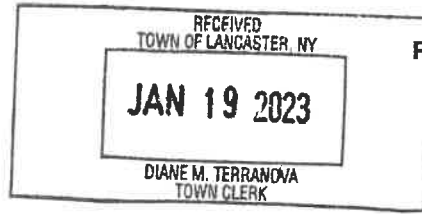
SEAL

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Department of Public Service

Three Empire State Plaza, Albany, NY 12223-1350
www.dps.ny.gov



Public Service Commission
Rory M. Christian
Chair and
Chief Executive Officer

Diane X. Burman
James S. Alesi
Tracey A. Edwards
John B. Howard
David J. Valesky
John B. Maggiore
Commissioners

January 19, 2023

Florence Weber
Senior Director
North American Numbering Plan Administrator
Two Tower Center Boulevard 20th Floor
East Brunswick, New Jersey 08816

Re: Case 22-C-0358 – Petition of the North American Numbering Plan Administrator
on Behalf of the New York Telecommunications Industry for Relief of the 716
Numbering Plan Area.

Dear Florence Weber:

The Department has received the North American Numbering Plan Administrator's (NANPA) December 14, 2022 filing, submitted pursuant to Ordering Clause 2 of the Commission's Order in the above-referenced proceeding, which directs NANPA to file on behalf of the New York Telecommunications Industry, "a joint plan outlining the steps necessary to activate a new area code, including milestone due dates, for the existing 716 Numbering Plan Area."¹ The Ordering Clause states that the plan shall be reviewed and approved by the Director of the Office of Telecommunications.

Review of the proposed implementation plan reveals that it contains reasonable intervals for providers to complete the necessary network modifications to activate the new overlay area code, as well as a dialing plan that complies with established New York State dialing patterns. Therefore, the joint plan satisfies the conditions of the Order and is approved.

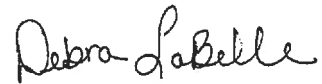
¹ Case 22-C-0358, Petition of the North American Numbering Plan Administrator on Behalf of the New York Telecommunications Industry for Relief of the 716 Numbering Plan Area, Order Directing Overlay of the 716 Area Code Region Subject to Conditions (issued October 13, 2022).

Florence Weber

January 19, 2023

Please call Lauriann Mullen at 518-457-5762 with any questions regarding this letter.

Very truly yours,

A handwritten signature in black ink that reads "Debra LaBelle". The signature is written in a cursive style with a large, stylized "D" and "L".

Debra LaBelle
Director
Office of Telecommunications

T.C. Comm.
T.A. Reso-
(RV)



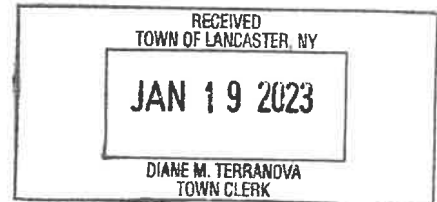
**ST. MARY
OF THE
ASSUMPTION**

68

St. Mary of the Assumption R.C. Church
1 St. Mary's Hill
Lancaster, NY 14086

January 12, 2023

Ronald Ruffino, Sr.
Supervisor
Town of Lancaster
21 Central Avenue
Lancaster, NY 14086



Dear Supervisor Ruffino:

For the past several years, St. Mary of the Assumption Parish has had the privilege of using the Westwood Park Indoor Pavilion for Easter Sunday Sunrise Mass. The setting is a beautiful one for the celebration of God's creation and the Resurrection of Christ.

Once again, we would like to request the use of this space from 5:45 until 8 a.m. on Easter Sunday, April 9, 2023. Mass will be celebrated at 6:30 a.m.

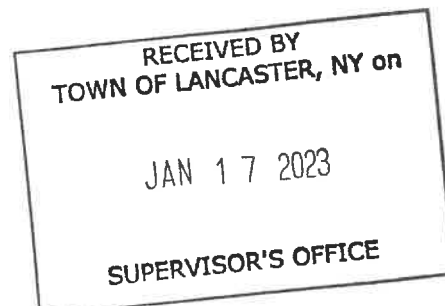
Please notify me of your decision, so that appropriate notice can be given to our parishioners.

Thank you for your support of our parish - and my sincere appreciation for the generosity, which continues to be shown to us by the Town of Lancaster.

Peace,

Rev. Paul W. Steller

Rev. Paul W. Steller
Phone: 716-683-6445
Email: paul@stmarysonthehill.org



LANCASTER POLICE DEPARTMENT 69



WILLIAM J. KARN, JR.
CHIEF OF POLICE

T.C. Comm.
T.A. Reso.
RD



525 PAVEMENT ROAD
LANCASTER, NY 14086

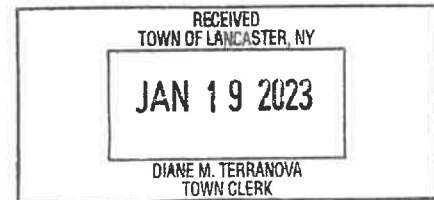


TEL: (716) 683-2800
FAX: (716) 681-2352

January 17, 2023

Supervisor Ruffino and Lancaster Town Board
21 Central Avenue
Lancaster, NY 14086

Re: updated SRO agreement



Dear Supervisor Ruffino and Honorable Town Board,

I am requesting that the Board approve a resolution authorizing the Supervisor to execute the attached agreement with the Lancaster Central School District. This updated agreement would allow the Police Department to continue providing the services of three (3) full-time school resource officers to the LCSD throughout the school year. The term of the new agreement will be effective 9/1/23-8/31/26 with the ability to extend two additional years (five-year max).

Please contact me if you have any questions regarding this updated agreement/extension.

Respectfully,

William J. Karn, Jr.
William J. Karn Jr.
Chief of Police

January 20, 2023

Town of Lancaster Planning & Zoning Committee
21 Central Avenue
Lancaster, NY 14086

RE: WORKS SESSION PRESENTATION REQUEST
CONCEPT PLANS FOR PROPOSED EVENT FACILITY
5309 GENESEE STREET

70
RECEIVED

JAN 20 2023 *mx*

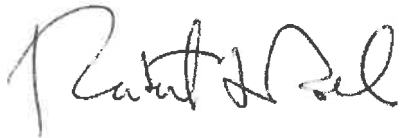
TOWN OF LANCASTER
BUILDING DEPARTMENT

Dear Committee Members:

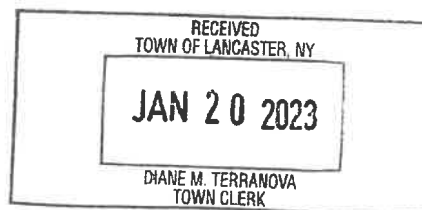
We are representing the owners of 5309 Genesee Street, Jim Maass and Jacquelyn Maass-Bennett, who are in the preliminary stages of planning a proposed special events facility on their property. Following our pre-application meeting with Mr. Fischione and Mr. Schiller, our clients would like to request the opportunity for the entire committee to review and comment on the concept site and building plans that have been prepared.

We can be available to present these plans at the February 6, 2023 Committee work session meeting, or at the first available agenda opening. Please let us know at your earliest convenience.

Sincerely,
GREENMAN-PEDERSEN, INC



Robert J. Blood, RLA
Project Manager



DIANE M. TERRANOVA, TOWN CLERK
TOWN OF LANCASTER
21 CENTRAL AVE.
LANCASTER, N.Y. 14086
AREA CODE 1-716 683-9028

71

COPY

January 20, 2023

Matthew Fischione
Code Enforcement Officer
21 Central Avenue
Lancaster, New York 14086

Re: SPECIAL USE PERMIT -
4725 Transit Road

COPY

Enclosed is the above referenced Special Use Permit Application for your review and determination pursuant to Chapter 400-78 of the Code of the Town of Lancaster.

Sincerely yours,

OFFICE OF THE TOWN CLERK



Diane M. Terranova
Town Clerk

DMT/dm

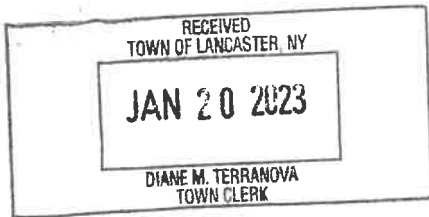
Encl.

cc: Town Board
T. Fowler, Town Attorney
W. Karn, Police Chief

COPY

COPY

COPY



Fee Received \$ 700.00 ^{cash}
Date: 1/20/23

TOWN OF LANCASTER
APPLICATION FOR SPECIAL USE PERMIT

To: TOWN BOARD

The undersigned hereby make(s) application for a COMMERCIAL special use permit concerning certain premises in the Town as follows:

1. Name and address of applicant/owner:

Jose Castaneda
39 Edgewood DR Batavia NY 14020

Location of premises:

4725 Transit Rd DePew NY 14043

SBL # 126.54-1-59

2. Present zoning classification of premises:

Multi Facility use

3. Present use of premises, Example: vacant land, private residence, etc.:

Restaurant

4. What are your plans for the premises?

Re opening Existing Restaurant

SIGNATURE

DATE 1/16/23

PHONE NUMBERS:

WORK

HOME

MOBILE 585-813-2147

APPLICATION FOR SPECIAL USE PERMIT

EXHIBIT "B"

In the form of a letter to the Town Board, answer the following questions:

1. What is the general purpose and intent of the project?
2. Will it negatively affect the value of the adjacent properties?
3. Will it create a hazard to health, safety or the general welfare?
4. Will it alter the essential character of the district?
5. Will it be detrimental to the public welfare?
6. Submit a drawing, to scale, of the referenced project and indicate the area to be utilized for this permit. (See sample enclosed)

If the applicant is **not** the property owner, the property owner must sign the following certification:

DESIGNATION OF REPRESENTATIVE

I, 327-42 Forestview LLC as property owner hereby designate:

Name: Rose Castaneda

Mailing Address: 90 Earhart DR Williamsville NY 14221

Telephone Number: 585-813-2147 to act as my representative in any and all proceedings before the Town Board of the Town of Lancaster for the purposes of reviewing the attached application.

Owner Signature: Marietta T. Drapeau

Date: 1/18/22 Managing Agent

To who it may concern

The general purpose of this project is reopening an existing restaurant it will not take any negative affect the value of the property it will not create any hazard or health safety to the general welfare It will not alert the essential character at the district it will not be detrimental to the public welfare

Jose Castaneda

Margaritas mexican cantina

4725 transit rd Depew ny 14043

SECTION 809 - DISCLOSURE CERTIFICATE

CERTIFICATE REQUIRED TO BE EXECUTED BY EVERY APPLICANT FOR A VARIANCE, AMENDMENT, CHANGE OF ZONING, APPROVAL OF A PLAT, EXEMPTION FROM A PLAT OR OFFICIAL MAP, LICENSE OR PERMIT, PURSUANT TO THE PROVISIONS OF ANY ORDINANCE, LOCAL LAW, RULE OR REGULATION CONSTITUTING THE ZONING AND PLANNING REGULATIONS OF THE TOWN OF LANCASTER (SEE ATTACHED EXCERPT FROM GENERAL MUNICIPAL LAW)

CERTIFICATION A

1. The undersigned applicant, as defined in Section 809 of the General Municipal Law of the State of New York, for a (**underline appropriate application**) variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit, hereby certifies that no State officer, or officer or employee of the County of Erie or Town of Lancaster, as defined in said section, has an interest in the person, partnership or association making application for said Special Use Permit

2. I understand that any person who knowingly and intentionally violates the provisions of Section 809 of the General Municipal Law of the State of New York shall be guilty of a misdemeanor.

X _____
X _____

CERTIFICATION B

1. The undersigned applicant, as defined in Section 809 of the General Municipal Law of the State of New York, for a (**underline appropriate application**) variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit, hereby certifies that _____ is a State officer, or officer or employee of the County of Erie or Town of Lancaster, as defined in said section, who has an interest in the person, partnership or association making application for said _____ and that the extent of such interest is _____.

2. I understand that any person who knowingly and intentionally violates the provisions of Section 809 of the General Municipal Law of the State of New York shall be guilty of a misdemeanor.

X _____
X _____

824.

RENOVATION FOR :
4725 TRANSIT RD.
DREW, NY 14043

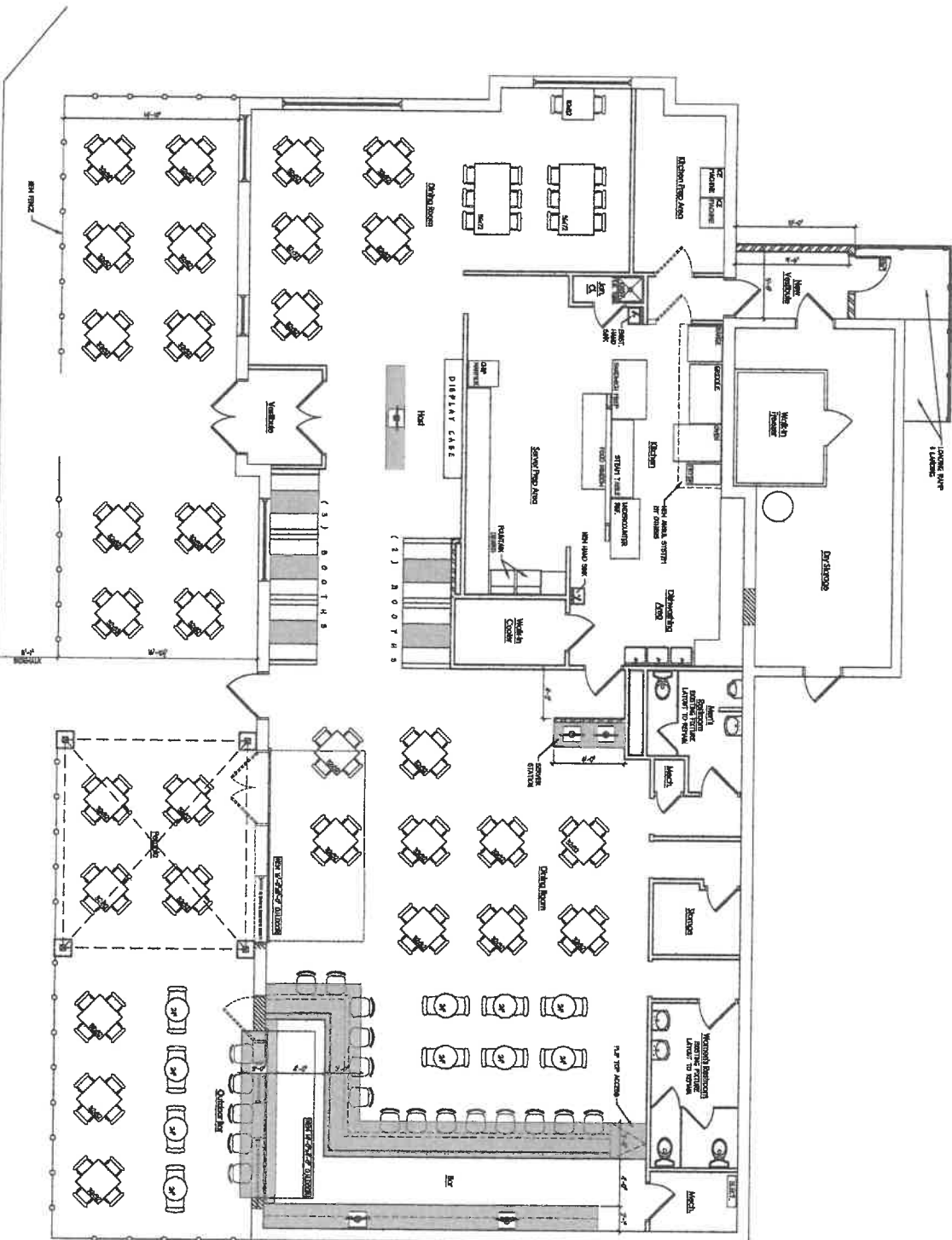
[illegible]

SHEET DATE: 11/09/2022
 PROJECT NUMBER: 22.1191
 SCALE: AS NOTED
 DRAWN BY: JMM
 CHECKED BY: AL

SHEET TITLE:
FIRST FLOOR PLAN

DRAWING NO.

A-1



1 Floor Plan

Signature of Petitioner

Date

1/20/23

INDIVIDUAL

STATE OF NEW YORK

SS:

COUNTY OF ERIE

On this 20 day of January, 2023 before me personally appeared Jose Castaneda, the petitioner, to me known and known to me to be the individual described in and who executed the foregoing instrument and he acknowledged to me that he executed the same for the purpose herein stated.

David N. Llanova

Notary Public or Deputy Town Clerk

CORPORATE

STATE OF NEW YORK

SS:

COUNTY OF ERIE

On this ___ day of _____, 20__ before me personally appeared _____, to me known, who, being by me first duly sworn, did depose and say that he resides in _____ that he is the _____ of _____ the corporation described in and which executed the foregoing instrument; that he knows the Corporate Seal of said corporation; that the Corporate Seal affixed to said instrument is such Corporate Seal; that it was affixed by order and authority of the Board of Directors of said corporation; and that he signed his/her name thereto by like order and authority for the purposes herein stated.

Notary Public or Deputy Town Clerk

CORPORATE SEAL

PARTNERSHIP

STATE OF NEW YORK

SS:

COUNTY OF ERIE

On this ___ day of _____, 20__, before me personally appeared _____ the petitioner, to me known and known to me to be one of the firm of _____ described in and who executed the foregoing instrument and he acknowledged to me that he executed the same as and for the act and deed of said firm, for the purposes therein stated.

CORPORATE SEAL

Notary Public or Deputy Town Clerk



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

01/19/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Tompkins Insurance Agencies, Inc 90 Main Street Batavia NY 14020		CONTACT NAME: Lyndsi Weatherbee PHONE (A/C, No, Ext): (888) 261-2688 FAX (A/C, No): (888) 339-8337 E-MAIL ADDRESS: lweatherbee@tompkinsfinancial.com	
INSURED Margaritas Mexican Cantina LLC 402 S Franklin St Syracuse NY 13202		INSURER(S) AFFORDING COVERAGE INSURER A: Erie & Niagara Insurance Association INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	
		NAIC # 10374	

COVERAGES**CERTIFICATE NUMBER:** 22-23**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			BP 0018520	08/28/2022	08/28/2023	EACH OCCURRENCE \$ 2,000,000
			DAMAGE TO RENTED PREMISES (Ea occurrence) \$				
			MED EXP (Any one person) \$ 10,000				
			PERSONAL & ADV INJURY \$ 2,000,000				
						GENERAL AGGREGATE \$ 4,000,000	
						PRODUCTS - COMP/OP AGG \$ 4,000,000	
							\$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$
							BODILY INJURY (Per person) \$
							BODILY INJURY (Per accident) \$
							PROPERTY DAMAGE (Per accident) \$
							\$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$
							AGGREGATE \$
							\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/>
							E.L. EACH ACCIDENT \$
							E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER**CANCELLATION**Town of Lancaster
21 Central Ave #1

Lancaster

NY 14086

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

DIANE M. TERRANOVA, TOWN CLERK
TOWN OF LANCASTER
21 CENTRAL AVE.
LANCASTER, N.Y. 14086
AREA CODE 1-716 683-9028

COPY

January 20, 2023

Matthew Fischione
Code Enforcement Officer
21 Central Avenue
Lancaster, New York 14086

Re: SPECIAL USE PERMIT -
10 Sussex Lane

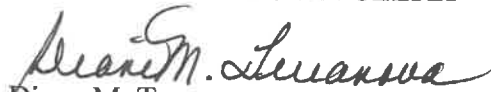
Dear Matt:

Enclosed is a copy of a letter from Ronald Fronckowiak requesting a renewal of his Special Use Permit for a Home Occupation (Mortgage Broker Office) which will expire on March 1, 2023, on premises located at 10 Sussex Lane.

Please inform the Town Board, the Town Attorney, and my office as to the applicant's compliance to all conditions stipulated in this permit so that a resolution to renew the Special Use Permit may be prepared for the next Town Board Meeting.

Sincerely yours,

OFFICE OF THE TOWN CLERK


Diane M. Terranova
Town Clerk

DMT/dm

Encl.

cc: Tom Fowler, Town Attorney
Town Board

COPY

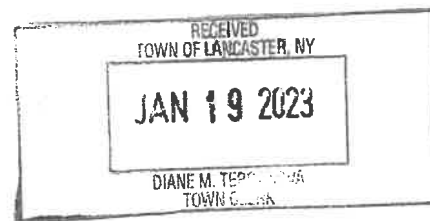
COPY

COPY

COPY



10 Sussex Lane
Lancaster, NY 14086
P 716.685.9696
F 716.681.5355
www.RandRFunding.com



January 16, 2023

Town Board c/o Town Clerk's Office
Town of Lancaster
21 Central Ave
Lancaster NY 14086

Dear Diane M. Terranova, Town Clerk, and Lancaster Town Board:

I am writing to request renewal of my Special Use Permit to operate a business out of my home located at 10 Sussex Ln, Lancaster, NY.

Since granted on March 2, 2009, I have continued to operate my mortgage business without disruption or interference to my neighbors or the subdivision as a whole. In fact, there have been no visible signs of my business operation from outside the home. The vast majority of any business activity takes place within the confines of my home office with the very rare occasion of a client coming to my front door to deliver personal documentation.

Furthermore, I have and will continue to abide by Lancaster Town Code, Chapter 50-17F, specifically:

1. I am the sole mortgage professional on the premises.
2. My occupation is clearly incidental and subordinate to the use of the premises for residential purposes.
3. There will be no change in the outward appearance of our home.
4. There will be no smell, noise, vibration, glare, or electrical interference perceptible to the normal senses off the parcel as these are not characteristic to my occupation.

My business is professional and absolutely unobtrusive to the neighborhood.

I appreciate your consideration of this renewal request and your anticipated approval.

Regards,

Ronald M. Fronckowiak

RONALD M. FRONCKOWIAK
President

STATE OF NEW YORK BANKING DEPARTMENT



207797

Superintendent of Banks Richard H. Neuman hereby grants authorization to:

R & R Funding, Inc.

a corporation formed in the year 2009 under the laws of the state of New York, and having its principal place of business at

10 Sussex Lane
Lancaster, NY 14086 9458

to transact business as a registered mortgage broker at

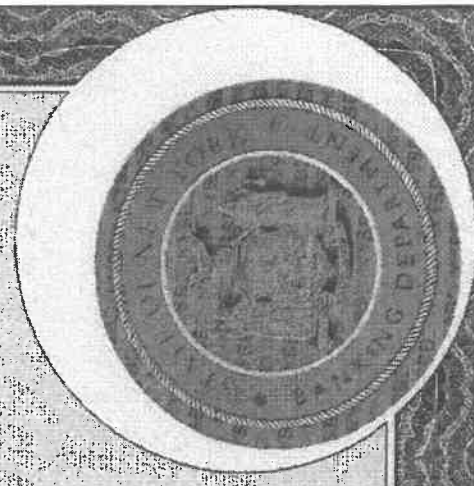
10 Sussex Lane
Lancaster, NY 14086 9458

in accordance with Article 12-d of the New York Banking Law,
and subject to all rules and regulations lawfully made by the
Superintendent of Banks relating to such business.

By:

Rhonda L. Ricketts, Deputy Superintendent of Banks

Date: May 11th, 2010



000164

DIANE M. TERRANOVA, TOWN CLERK
TOWN OF LANCASTER
21 CENTRAL AVE.
LANCASTER, N.Y. 14086
AREA CODE 1-716 683-9028

COPY

January 23, 2023

Matthew Fischione
Code Enforcement Officer
21 Central Avenue
Lancaster, New York 14086

Re: SPECIAL USE PERMIT -
6479 Broadway

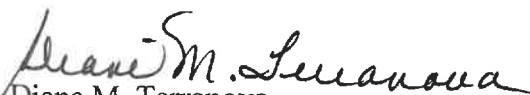
Dear Matt:

Enclosed is a copy of a letter from James Macken requesting a renewal of his Special Use Permit for a Home Occupation (Accounting for Sewer Maintenance Company) which will expire on March 5, 2023, on premises located at 6479 Broadway.

Please inform the Town Board, the Town Attorney, and my office as to the applicant's compliance to all conditions stipulated in this permit so that a resolution to renew the Special Use Permit may be prepared for the next Town Board Meeting.

Sincerely yours,

OFFICE OF THE TOWN CLERK


Diane M. Terranova
Town Clerk

DMT/dm

Encl.

cc: Tom Fowler, Town Attorney
Town Board

COPY

COPY

COPY

COPY

James J Macken

6479 Broadway Lancaster, NY 14086

January 22,2023

To: Lancaster Town Board

21 Central Ave Lancaster, NY 14086

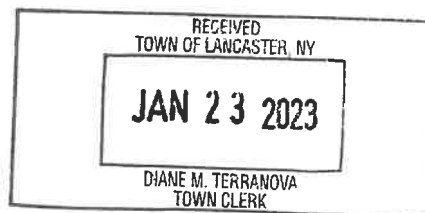
To Whom It may Concern:

We are hereby requesting that the Special use permit be extended for accounting purposes from my home for by business, Macken Sewer & Drain, LLC .

Should you have any questions or concerns please do not hesitate to callme at 716-713-3309 or email Jmacken41@yahoo.com.

Sincerely,


James J Macken





Town of Lancaster

BUILDING DEPARTMENT
21 CENTRAL AVENUE
LANCASTER, NEW YORK 14086
716-684-4171
FAX 685-5317

January 23, 2023

Honorable Town Board
Town of Lancaster
21 Central Avenue
Lancaster, NY 14086

RE: Completed Remedies

**Special Use Permit- Sandbanks, Gravel Pits and Stone Quarries
6125 Genesee St., Lancaster, NY 14086**

Remedies to deficiencies identified on the 12/15/2022 inspection report have been completed along with an updated map that identifies the exception 5.6 acre east mine reclamation area.

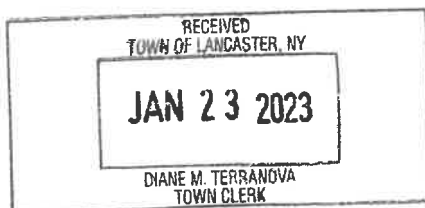
It is appropriate to continue to operate a Sand and Gravel Mine, permitted by NYSDEC Permit ID 9-1452-00037/00004 and Town Code, Chapter 163-18

Sincerely,

Matt Fischione, Code Enforcement Officer/ZEO/CFM/SMO
Town of Lancaster Building and Zoning Department

MF

CC: Thomas Fowler, Jr., Town Attorney
Diane Terranova, Town Clerk



DIANE M. TERRANOVA, TOWN CLERK
TOWN OF LANCASTER
21 CENTRAL AVE.
LANCASTER, N.Y. 14086
AREA CODE 1-716 683-9028

COPY

January 23, 2023

Matthew Fischione
Code Enforcement Officer
21 Central Avenue
Lancaster, New York 14086

Re: SPECIAL USE PERMIT -
5077 Transit Road

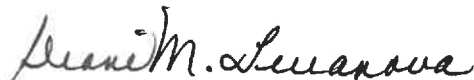
Dear Matt:

Enclosed is a copy of a letter from Megen Schiffler, Controller, Joe Basil Chevrolet Inc. requesting a renewal of their Special Use Permit for inventorying and parts storage use which will expire on March 3, 2023, on premises located at 5077 Transit Road.

Please inform the Town Board, the Town Attorney, and my office as to the applicant's compliance to all conditions stipulated in this permit so that a resolution to renew the Special Use Permit may be prepared for the next Town Board Meeting.

Sincerely yours,

OFFICE OF THE TOWN CLERK


Diane M. Terranova
Town Clerk

DMT/dm

Encl.

cc: Tom Fowler, Town Attorney
Town Board

COPY

COPY

COPY

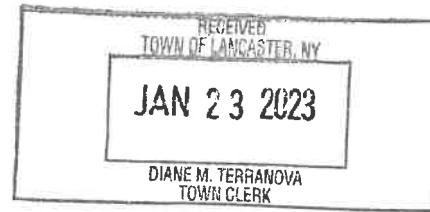
COPY



Joe Basil Chevrolet Inc.

5111 Transit Road, Depew, New York 14043 • 683-6800

www.basilcars.com



January 20, 2023

Lancaster Town Board
C/O Town Clerk's Office
21 Central Avenue
Lancaster, NY 14086

To Whom It May Concern:

Please allow this letter to serve as our request for continuation/renewal of our Special Use Permit for inventorying and parts storage use on premises located at 5077 Transit Road, SBL. 115.09-1-27.

If you have any questions or require any additional documentation, my direct line is 206-1783.

Thank you,

Megen Schiffler
Controller
Joe Basil Chevrolet Inc.

Just What You're Looking For



New York State Department of Motor Vehicles

OFFICIAL BUSINESS CERTIFICATE

THIS CERTIFICATE EXPIRES 10/31/23

FACILITY IDENTIFICATION NO. 5320407 RS

JOE BASIL CHEVROLET INC
5111-5123 TRANSIT RD
DEPEW NY 14043

Validation Date and Number: 09/24/21 15062

This person is REGISTERED AS A
REPAIR SHOP

pursuant to the provisions of the Vehicle and Traffic Law



This document does not certify that this business complies with zoning and other local laws
POST IN A CONSPICUOUS PLACE

1P (11/95)



New York State Department of Motor Vehicles

OFFICIAL BUSINESS CERTIFICATE

THIS CERTIFICATE EXPIRES 10/31/23

FACILITY IDENTIFICATION NO. 5320407 ISP

JOE BASIL CHEVROLET INC
5111-5123 TRANSIT RD
DEPEW NY 14043

Validation Date and Number: 09/24/21 15063

This person is LICENSED AS A
PUBLIC INSPECTION STATION

pursuant to the provisions of the Vehicle and Traffic Law
1A-1B-2A-2B-3



This document does not certify that this business complies with zoning and other local laws
POST IN A CONSPICUOUS PLACE

1P (11/95)



New York State Department of Motor Vehicles

OFFICIAL BUSINESS CERTIFICATE

THIS CERTIFICATE EXPIRES 10/31/23

FACILITY IDENTIFICATION NO. 5320407

JOE BASIL CHEVROLET INC
5111-5123 TRANSIT RD
DEPEW NY 14043

Validation Date and Number: 09/24/21 15064

This person is REGISTERED AS A
NEW MOTOR VEHICLE DEALER

pursuant to the provisions of the Vehicle and Traffic Law



This document does not certify that this business complies with zoning and other local laws
POST IN A CONSPICUOUS PLACE

1P (11/95)



New York State Department of
Taxation and Finance
Sales Tax Registration
W A Hartman Campus
Albany, NY 12227

091105557100-A100



JOE BASIL CHEVROLET, INC.
5111 TRANSIT RD
DEPEW NY 14043-4466

New York State Department of Taxation and Finance
Certificate of Authority

Identification number

16-1068991

(Use this number on all returns and correspondence)



VALIDATED

11/23/2009

Dept of Tax
and Finance

JOE BASIL CHEVROLET, INC.
5111 TRANSIT RD
DEPEW NY 14043-4466

is authorized to collect sales and use taxes under Articles 28 and 29 of the New York State Tax Law.

Nontransferable

This certificate must be prominently displayed at your place of business.
Fraudulent or other improper use of this certificate will cause it to be revoked.
The certificate may not be photocopied or reproduced.

4050111060058

1DC3 - 3280635 P0000557-01

DTF-17-A-R (11/08)

LANCASTER POLICE DEPARTMENT

76



WILLIAM J. KARN, JR.
CHIEF OF POLICE



525 PAVEMENT ROAD
LANCASTER, NY 14086



TEL: (716) 683-2800
FAX: (716) 681-2352

January 19, 2023

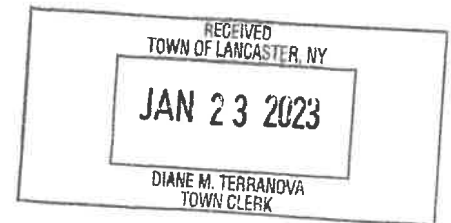
Carlo DiRienzo

Planning Board Chairman

72 Michaels Walk

Lancaster, NY 14086

RE: Amended Site Plan Review- Project #2010



Mr. DiRienzo,

The Lancaster Police Department has no objection to the above listed project.

A handwritten signature in black ink, appearing to read "Marco A. Laurienzo".

Marco A. Laurienzo

Patrol Captain

Lancaster Police Department

Cc: William Karn, Police Chief

Matt Fischione, Code Enforcement

Diane Terranova, Town Clerk



T.C. Comm.
T.A. Reso.
(P)

77

Erie County Water Authority

295 Main Street • Room 350 • Buffalo, New York 14203
716-849-8484 FAX 716-849-8467

TOWN OF LANCASTER
ATTN ACCOUNTS PAYABLE
21 CENTRAL AVE
LANCASTER NY
14086-2128

January 17, 2023

Service At: 1237 HYDRANTS IN DISTRICT
TOWN OWNED LINES

Account Number: 72007090-7

Dear Customer:

This letter is to notify you that the billing for fire hydrants on the above-captioned account is being increased due to the installation of new hydrant(s). The new hydrant(s) are included on the enclosed listing, which represents all hydrants billed to you. Future monthly billings rendered to the account will increase as follows:

Number of Hydrants increases from 1,236 TO 1,237

Billings increase from \$16,562.40 TO \$16,575.80

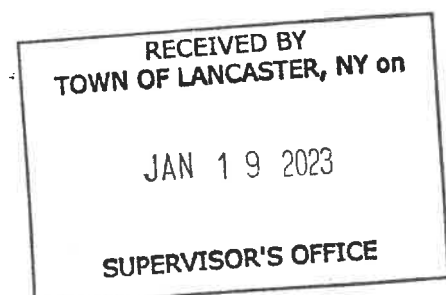
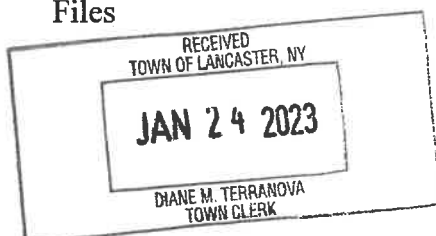
Please check the enclosed listing for accuracy. If there are any errors, please notify me immediately at 849-8458. If there are any questions regarding this listing or your billing, please feel free to contact me at the number listed above.

Very truly yours,

ERIE COUNTY WATER AUTHORITY

MICHAEL C.
Senior Customer Service Representative
Commercial Accounts

Cc: Files



SUPERVISOR
Ronald Ruffino Sr.

COUNCIL MEMBERS
Adam Dickman
David Mazur
Robert Leary
Mark Burkard

T.C. Comm.
T.A. Reso
(P)



78
Deputy Highway Superintendent
Michelle Barbaro

525 Pavement Road
Lancaster, NY 14086
716-684-3320 phone
716-685-3497 fax

January 20, 2023

COMMUNICATIONS

REVISED

Honorable Town Board
Town of Lancaster
21 Central Avenue
Lancaster, NY 14086

Dear Honorable Town Board:

I would appreciate your support in sponsoring a resolution for the purchase of two Portolite 8" Full Length Pitching Mounds. We have solicited three vendors, and the lowest quote was from Pitching Machine Sale, PO Box 372, Kennett Square, PA, 19348, for a total amount of \$6,400.00. The funds for these pitching mounds is being taken from Recreation Filing Fees, Line item No. 37-7000-260.

If you have any questions or concerns, please contact me at your convenience.

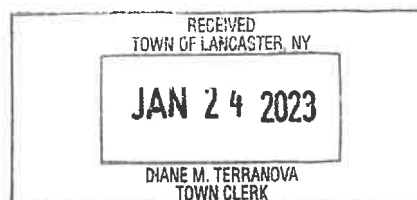
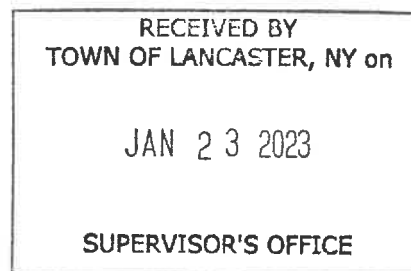
Respectfully submitted,

Michelle Barbaro

Michelle Barbaro
Deputy Highway Superintendent

MB:jw

Cc: Ron Ruffino, Town Supervisor
Thomas Fowler, Town Attorney
Diane Terranova, Town Clerk



OFFICE OF THE COMMISSIONER

New York State Department of Environmental Conservation
625 Broadway, 14th Floor, Albany, New York 12233-1010
P: (518) 402-8545 | F: (518) 402-8541
www.dec.ny.gov

T.C. Comm.
(P)

JAN 3 2023

Honorable Lynne Ruda
Mayor
Village of Lancaster
Lancaster Municipal Building
5423 Broadway
Lancaster, NY 14086-2148

Re: CFA Application # 119142 Climate Smart Communities Project – Joint Town/
Village GHG Reduction Initiatives

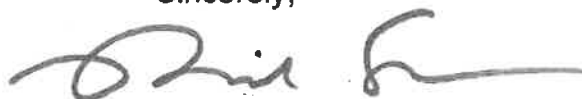
Dear Mayor Ruda:

The Department of Environmental Conservation (DEC) Office of Climate Change is pleased to inform you that the Joint Town/Village GHG Reduction Initiatives project has been selected to receive a Climate Smart Communities grant in the amount of \$100,000. If you applied for funding from other programs or other State agencies, you will receive information from those programs or agencies separately.

Once DEC has received approval from the Office of the State Comptroller, we will reach out to the person identified in your grant application as the primary contact to provide additional information related to developing a contract for state assistance.

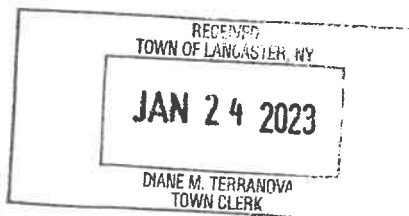
We look forward to working with you on this important climate action project. If you have any questions, please contact the Climate Smart Communities grant program staff at CSCgrants@dec.ny.gov or call 518-402-8448.

Sincerely,



Basil Seggos
Commissioner

c: Mr. Michael Stegmeier
Mr. William Cansdale



RECEIVED
JAN - 9 2023
Village of Lancaster
Clerk - Treasurers Office



Department of
Environmental
Conservation

The suspension was GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER DICKMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER LEARY, TO WIT:

WHEREAS, the Town and Village of Lancaster, New York hereby request assistance from the New York State Climate Smart Communities Grant Program pursuant to Environmental Conservation Law Article 54, Title 15, and

WHEREAS, the Town and Village of Lancaster certifies that each municipality has identified **Twenty-five thousand dollars (\$25,000.00)** of matching funds from its respective municipality's General Funds pursuant to the requirements of Environmental Conservation Law Article 54 Title 15, and

WHEREAS, the Village of Lancaster has requested to be Lead Municipal Agency and has provided a Collaboration Agreement, Work Plan, and Budget for the Town to review and consider as required per Applications Criteria, Terms and Conditions section of the Request for Applications for the 2022 Climate Smart Communities Grant Program Environmental Protection Fund.

NOW, THEREFORE,

BE IT RESOLVED, that Town of Lancaster authorizes and approves a joint grant application with the Village of Lancaster for the Climate Smart Communities Program as part of the Consolidated Funding Application to submit a project for a community wide Greenhouse Gas Inventory, wherein each municipality shall contribute \$25,000.00 of matching funds towards the program and to further designate that the Village of Lancaster as the lead municipal agency for this project, and

BE IT FURTHER

RESOLVED, that the Supervisor be and is hereby authorized and directed to execute all documents pertaining to the application and acquisition of said funding pending review and approval by the Town Attorney.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER BURKARD	VOTED YES
COUNCIL MEMBER DICKMAN	VOTED YES
COUNCIL MEMBER LEARY	VOTED YES
COUNCIL MEMBER MAZUR	VOTED YES
SUPERVISOR RUFFINO	WAS ABSENT

July 18, 2022

INTERMUNICIPAL COOPERATION AGREEMENT
Between
The VILLAGE OF LANCASTER
and
The TOWN OF LANCASTER

For the purpose of submitting a joint Climate Smart Communities grant application.

THIS AGREEMENT made and entered into this, 26th day of July, 2022, by and between the Town of Lancaster and the Village of Lancaster in consideration of the mutual benefits and commitments contained herein.

WHEREAS the Town of Lancaster and the Village of Lancaster realize the importance of greenhouse gas (GHG) mitigation and climate change adaptation within the community and

WHEREAS the Climate Smart Communities (CSC) Grant Program provides funding for municipalities to address greenhouse gas (GHG) mitigation and climate change adaptation at the local level.

NOW THEREFORE, the Town of Lancaster and the Village of Lancaster agree as follows with respect to a greenhouse gas (GHG) mitigation and climate change project for which a Climate Smart Communities (CSC) grant application is being submitted on behalf of the Town of Lancaster and the Village of Lancaster:

If the grant application is successful:

- 1) The Village will serve as lead agency.
- 2) The Village will hire as a Village employee a Lancaster Community Climate Energy (CCE) Coordinator.
- 3) The Community Climate Energy (CCE) Coordinator will conduct and complete a Community GHG Inventory for the Town and Village of Lancaster.
- 4) The CCE Coordinator will compile the results of the Community GHG Inventory which the CCE Coordinator will provide to the Town and Village of Lancaster for the benefit of the community and its residents.
- 5) The CCE Coordinator will conduct community outreach including public presentations of the findings of the Community GHG Inventory.
- 6) The grant application will be for the amount of \$100,000 to be received from the Climate Smart Communities (CSC) grant program.
- 7) The Town and Village of Lancaster will each commit a cash match of \$25,000.

8) The Village will provide in-kind services of Village employee(s) to assist in completing the tasks of the grant project with labor costs, including wages, withholdings, and benefits not to exceed \$50,000.

IN WITNESS WHEREOF, the undersigned have executed this agreement pursuant to the confirmatory resolutions of their respective boards.



Mayor, Village of Lancaster

7/26/2022

Date

(seal)



Supervisor, Town of Lancaster

7/20/22

Date

(seal)

DIANE M. TERRANOVA, TOWN CLERK
TOWN OF LANCASTER
21 CENTRAL AVE.
LANCASTER, N.Y. 14086
AREA CODE 1-716 683-9028

80

COPY

January 24, 2023

Matthew Fischione
Code Enforcement Officer
21 Central Avenue
Lancaster, New York 14086


Re: SPECIAL USE PERMIT -
4885 Transit Road

COPY

Enclosed is the above referenced Special Use Permit Application for your review and determination pursuant to Chapter 400-78 of the Code of the Town of Lancaster.

Sincerely yours,

OFFICE OF THE TOWN CLERK


Diane M. Terranova
Town Clerk

DMT/dm

Encl.

cc: Town Board
T. Fowler, Town Attorney
W. Karn, Police Chief

COPY

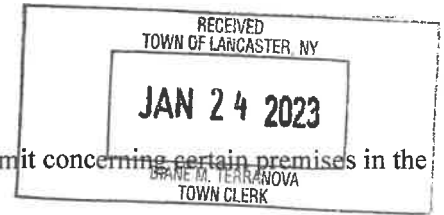
COPY

COPY

K-658
Fee Received \$ 700.⁰⁰
Date: 1/24/23

TOWN OF LANCASTER
APPLICATION FOR SPECIAL USE PERMIT

To: TOWN BOARD



The undersigned hereby make(s) application for a COMMERCIAL special use permit concerning certain premises in the Town as follows:

1. Name and address of applicant/owner:

Purple Acquisitions, LLC, 19321 Us Highway 19, North, Suite 301 Clearwater, FL

Location of premises: ~~485 Transit Rd., Depew, NY~~

4885 Transit Rd. Depew, NY

2. Present zoning classification of premises:


GC- General Commercial

3. Present use of premises, Example: vacant land, private residence, etc.:

Automotive Oil Change

4. What are your plans for the premises?

Converting to a Take 5 – Oil Change (re-using same building/ layout)

SIGNATURE 

DATE 1/20/23

PHONE NUMBERS: WORK _____

HOME _____

MOBILE 404-323-4003

**APPLICATION FOR SPECIAL USE PERMIT
EXHIBIT "B"**

In the form of a letter to the Town Board, answer the following questions:

1. What is the general purpose and intent of the project? Converting the Building to a Take 5 Oil Change.
2. Will it negatively affect the value of the adjacent properties? Increase the Value of the Property
3. Will it create a hazard to health, safety or the general welfare? NO
4. Will it alter the essential character of the district? NO
5. Will it be detrimental to the public welfare? NO
6. Submit a drawing, to scale, of the referenced project and indicate the area to be utilized for this permit. (See sample enclosed)

If the applicant is **not** the property owner, the property owner must sign the following certification:

DESIGNATION OF REPRESENTATIVE

I, _____ Tom Manko _____ as property owner hereby designate:

Name: _____ Purple Acquisition, LLC- C/O Alex Deitch _____

Mailing Address: _____ 19321 US Highway 19N, Suite 301, Clearwater FL, 33764 _____

Telephone Number: _____ 404-323-4003- Alex Deitch _____ to act as my representative in any and all proceedings before the Town Board of the Town of Lancaster for the purposes of reviewing the attached application.

Owner Signature: _____
DocuSigned by:
Thomas Manko
37615B2834D24E1...

Date: _____ 1/20/2023 _____

1/20/22

To the Town Board,

We are planning to convert Manko Automotive located 4885 Transit Rd. to a Take 5 Oil Change. We are the franchisee group that will own and operate this location. The property shall increase in value with the upgrades to the property including painting, new signage, and other small property improvements. At this Take 5 location we will be servicing vehicles oil, wiper, air, air filter and Ny State Vehicle Emissions. The new business at this location will not create any health, safety or general welfare issues for the district. The business will not alter the essential character of the district. There will be no detrimental issue to the public's welfare.

We look forward to opening a Take 5 at this location and becoming a great partner with the community.

Thanks for your time and please reach out if any additional questions.

A handwritten signature in black ink, appearing to read 'Alex Deitch', with a stylized, cursive script.

Alex Deitch

Partner

Purple Acquisitions, LLC dba Take 5 Oil

Cell 404-323-4003

Signature of Petitioner

Date

INDIVIDUAL

STATE OF NEW YORK

SS:

COUNTY OF ERIE

On this ___ day of _____, 20__, before me personally appeared _____, the petitioner, to me known and known to me to be the individual described in and who executed the foregoing instrument and _he acknowledged to me that _he executed the same for the purpose herein stated.

Notary Public or Deputy Town Clerk

CORPORATE

STATE OF ^{Georgia} NEW YORK

SS:

COUNTY OF ^{Fulton} ERIE

On this 20th day of January, 2023, before me personally appeared Alexander Dabich, to me known, who, being by me first duly sworn, did depose and say that _he resides in Atlanta, Georgia that _he is the Member of Purple Acquisition LLC the corporation described in and which executed the foregoing instrument; that _he knows the Corporate Seal of said corporation; that the Corporate Seal affixed to said instrument is such Corporate Seal; that it was affixed by order and authority of the Board of Directors of said corporation; and that _he signed his/her name thereto by like order and authority for the purposes herein stated.

CORPORATE SEAL



Notary Public or Deputy Town Clerk

STATE OF NEW YORK

SS:

COUNTY OF ERIE

On this ___ day of _____, 20__, before me personally appeared _____ the petitioner, to me known and known to me to be one of the firm of _____ described in and who executed the foregoing instrument and _he acknowledged to me that _he executed the same as and for the act and deed of said firm, for the purposes therein stated.

CORPORATE SEAL

Notary Public or Deputy Town Clerk

SECTION 809 - DISCLOSURE CERTIFICATE

CERTIFICATE REQUIRED TO BE EXECUTED BY EVERY APPLICANT FOR A VARIANCE, AMENDMENT, CHANGE OF ZONING, APPROVAL OF A PLAT, EXEMPTION FROM A PLAT OR OFFICIAL MAP, LICENSE OR PERMIT, PURSUANT TO THE PROVISIONS OF ANY ORDINANCE, LOCAL LAW, RULE OR REGULATION CONSTITUTING THE ZONING AND PLANNING REGULATIONS OF THE TOWN OF LANCASTER (**SEE ATTACHED EXCERPT FROM GENERAL MUNICIPAL LAW**)

CERTIFICATION A

1. The undersigned applicant, as defined in Section 809 of the General Municipal Law of the State of New York, for a (**underline appropriate application**) variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit, hereby certifies that no State officer, or officer or employee of the County of Erie or Town of Lancaster, as defined in said section, has an interest in the person, partnership or association making application for said Special Use Permit

2. I understand that any person who knowingly and intentionally violates the provisions of Section 809 of the General Municipal Law of the State of New York shall be guilty of a misdemeanor.

X APL

X _____

CERTIFICATION B

1. The undersigned applicant, as defined in Section 809 of the General Municipal Law of the State of New York, for a (**underline appropriate application**) variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit, hereby certifies that _____ is a State officer, or officer or employee of the County of Erie or Town of Lancaster, as defined in said section, who has an interest in the person, partnership or association making application for said _____ and that the extent of such interest is _____.

2. I understand that any person who knowingly and intentionally violates the provisions of Section 809 of the General Municipal Law of the State of New York shall be guilty of a misdemeanor.

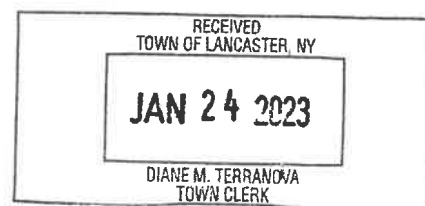
X _____

X _____

January 24, 2023

Town of Lancaster Supervisor

RE: Speaking at public comment sessions



Honorable Supervisor Ruffino

At the January 17th town board meeting closing public comment session you not only attempted to prevent a resident from addressing the board, but declared you were shutting down the public comment session in its entirety. After conferring with the Town Attorney and hearing from a second individual who intended to address the board and who questioned why his free speech and his right to address the board was arbitrarily being suppressed by his government.

You then allowed the two individuals to address the board and declared you were going to look into the matter on what your rights / options were to silence 'anyone attacking / pounding on you.' Hopefully you have looked into the matter and can give clarification on your opinion and options, and set boundaries if so determined.

I take free speech very seriously and would consider any attempt to shut down a scheduled public comment session an attack on free speech – especially shutting down a public comment session where the public was already asked 'if they wish to speak on any town subject.'

In the 20+ years I religiously attended Lancaster town board meetings, as well as meetings in other Western New York municipalities, I have never heard a like rebuke and threat to shut down a public comment session.

If a citizen feels strongly about an issue in the community he or she attends a city council meeting to voice those concerns. If the citizen is prohibited from addressing a controversial topic, that citizen's First Amendment rights have been violated.

Speaking at public meetings

Sometimes government officials need to silence disruptive citizens or to prohibit endless repetition. However, other times the officials may be squelching citizen speech because they want to suppress the message.

Many government meetings are open to the public and reserve a "public comment" time for citizen commentary on issues. The 9th U.S. Circuit Court of Appeals explained in its 1990 decision White v. City of Norwalk: "Citizens have an enormous First Amendment interest in directing speech about public issues to those who govern their city." These meetings, particularly the "public comment" period, are at the very least a limited public forum during which free-speech rights receive heightened protection.

It bears stressing that First Amendment rights are not absolute during public-comment periods of open meetings. Speakers can be silenced if they are disruptive.

"A speaker may disrupt a Council meeting by speaking too long, by being unduly repetitious, or by extending discussion of irrelevancies," the 9th Circuit wrote in White v. City of Norwalk. "The meeting is disrupted because the Council is prevented from accomplishing its business in a reasonably efficient manner. Indeed, such conduct may interfere with the rights of other speakers."

Unfortunately, many situations arise in which citizens are silenced because of the content of their speech or because they have disagreed previously with a government official. This raises the specter of censorship. Government officials may not silence speech because it criticizes them. They may not open a "public comment" period up to other topics and then carefully pick and choose which topics they want to hear. They may not even silence someone because they consider him a gadfly or a troublemaker.

A content-neutral policy against personal attacks is not facially unconstitutional insofar as it is adopted and employed to serve the legitimate public interest in a limited forum of decorum and order. The appeals court reasoned that the policy was content-neutral, as people could still present their viewpoints and messages disagreeing with certain policies without resorting to personal attacks.

When a government decides to offer a "public comment" period at an open meeting, it provides that citizens may exercise their First Amendment rights. Government officials can limit comments to the relevant subject matter, control disruptive or overly repetitive speakers and impose reasonable time, place, and manner restrictions on speech. However, when government officials create a public-comment forum, they have created a limited public forum in which greater free-speech protections apply. The government may not silence speakers on the basis of their viewpoint or the content of their speech. The government must treat similarly situated speakers similarly. In essence, the government must live up to the values embodied in the First Amendment.

Those are the precepts I am familiar with Supervisor Ruffino. What have you learned?

Lee Chowaniec
Lancaster, NY

CC:
Lancaster Town Board
Attorney Thomas Fowler

Town of Lancaster

TOWN PLANNING BOARD
21 Central Avenue
Lancaster, New York 14086

January 18, 2023

Planning Board Members:

Carlo DiRienzo, Chair
Rebecca Anderson
John Copas
Anthony Gorski
Joseph Keefe
Lawrence Korzeniewski
Michael Reinhold

Town Board Members:

Ronald Ruffino, Sr., Supervisor
Mark Burkard
Adam Dickman
Robert Leary
David Mazur

Engineering Consultant:

Ed Schiller, Wm. Schutt & Associates

Town Attorney:

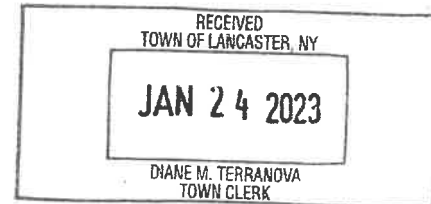
Thomas Fowler, Jr.

Town Highway Superintendent:

John Pilato

Building & Zoning Inspector:

Matthew Fischione



Gentlemen/Ladies:

Enclosed is a draft copy of the minutes of a meeting of the Planning Board of Lancaster which was held January 18, 2023. Please review it for errors and completeness. These minutes will not become final until approved at a subsequent Planning Board meeting and may be amended before approval.

Sincerely yours,

Carlo DiRienzo
Planning Board Chair

CD:cm
Encl.

A meeting of the Planning Board of the Town of Lancaster, Erie County, New York was held at Town Hall, 21 Central Avenue, Lancaster, NY, on the 14th day of January 2023 at 7:00 P.M. and there were present:

PRESENT: Carlo DiRienzo, Chair
Rebecca Anderson, Member
Anthony Gorski, Member
Joseph Keefe, Member
Lawrence Korzeniewski, Member
Michael Reinhold, Member

EXCUSED: John Copas, Member

ABSENT: None

ALSO PRESENT: None

Town Board Members: Councilmember Dave Mazur

Other Elected Officials: None

Town Staff: Emily Orlando, Deputy Town Attorney
Ed Schiller of Wm. Schutt & Assoc.
Matt Fischione, Code Enforcement Officer
Cynthia Maciejewski, Secretary

Meeting called to order by Chair DiRienzo at 7:00p.m.

Pledge of Allegiance led by Chair DiRienzo.

Roll Call of Planning Board Members

Chair DiRienzo-Present

Rebecca Anderson-Present

John Copas-Excused

Anthony Gorski-Present

Joseph Keefe-Present

Lawrence Korzeniewski-Present

Michael Reinhold-Present

Minutes-A motion was made by Joseph Keefe to approve the minutes from the January 4, 2023 Planning Board Meeting. Motion seconded by Michael Reinhold.

Roll call as follows:

Chair DiRienzo-Yes

Rebecca Anderson-Yes

John Copas-Excused

Anthony Gorski-Yes

Joseph Keefe-Yes

Lawrence Korzeniewski-Yes

Michael Reinhold-Yes

Motion carried.

TOWN OF LANCASTER PLANNING BOARD

COMMUNICATIONS LIST FOR JANUARY 18, 2023

- 1.18.01 Letter dated 1/5/23 from Marco Laurienzo, Captain Lancaster Police Department, with no objections regarding 6503 Broadway.
- 1.18.02 Letter dated 1/6/23 from Diane Terranova, Town Clerk, informing of a stop order placed by applicant on deposit check for Site Plan fee regarding 6130 Broadway.
- 1.18.03 Planning Board Training Hours 2023
- 1.18.04 Legal Notice from Diane Terranova, Town Clerk indicating a Public Hearing for Special Use Permit at 57 Gunnville Road
- 1.18.05 Legal Notice from Diane Terranova, Town Clerk indicating a Public Hearing for Special Use Permit at 272 Erie Street
- 1.18.06 Letter dated 12/29/22 from Ed Shiller, Town Engineer, with comments regarding Genesee Lane Park Development.
- 1.18.07 Letter dated 01/13/23 from Ed Shiller, Town Engineer, with comments regarding 6503 Broadway
- 1.18.08 Telephone conversation with Mike Metzger regarding 6130 Broadway. Mr. Metzger believes he has addressed all the Planning Boards issues previously identified.

- 1.18.09 Zoning Board of Appeals meeting minutes dated 1/12/23
- 1.18.10 SEQR response dated 1/9/23 from NYS DOT regarding 6218 Broadway
- 1.18.11 SEQR response dated 1/9/23 from NYS DOT regarding 6601 Broadway
- 1.18.12 SEQR response dated 1/4/23 from NYS DOT regarding 3857 Walden
- 1.18.13 Letter from GPI requesting a concept plan review meeting for 5309 Genesee Street
- 1.18.14 SEQR response dated 1/3/23 from Erie County DSM regarding 611 Pavement
- 1.18.15 Recorded Warranty Deed- Merge Status Edgewater Apartments
- 1.18.16 Letter from Cayuga Landing authorizing Young Development for wetlands delineation on 6026 Broadway.
- 1.18.17 Letter from Cayuga Landing authorizing Young Development to appear for rezoning on 6026 Broadway.
- 1.18.18 Letter from Erik Krull of Wetlands Investigation Co. regarding 6130 Broadway

Planning Board Minutes
SEQR Review
January 18, 2023

The Planning Board held its meeting at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 18th day of January 2023 at 7:08p.m. and there were

PRESENT: REBECCA ANDERSON, PLANNING BOARD MEMBER
ANTHONY GORSKI, PLANNING BOARD MEMBER
JOSEPH KEEFE, PLANNING BOARD MEMBER
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER
MICHAEL REINHOLD, PLANNING BOARD MEMBER
CARLO DIRIENZO, PLANNING BOARD CHAIR

EXCUSED: JOHN COPAS, PLANNING BOARD MEMBER

ALSO PRESENT: DAVID MAZUR, COUNCILMEMBER
EMILY ORLANDO, DEPUTY TOWN ATTORNEY
MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER
ED SCHILLER, ENGINEER, WM. SCHUTT & ASSOC.
CYNDI MACIEJEWSKI, SECRETARY

PURPOSE OF MEETING:

IN THE MATTER OF THE STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) OF
M.P. CAROLL HARDWOOD EXECUTIVE OFFICE AND STORAGE FACILITIES,
LOCATED AT 6130 BROADWAY, S.B.L. 116.00-3-3.1

The Planning Board reviewed the Full Environmental Assessment Form on the local law and discussed the impact and magnitude as outlined on the Full Environmental Assessment Form entitled "Part 2 Identification of Potential Project Impacts" which was provided to each member.

PLEASE TAKE NOTICE, that the Planning Board of the Town of Lancaster, acting as an advisory committee to provide input to the Town Board, the designated lead agency under the State Environmental Quality Review Act (SEQRA), has reviewed the following described proposed action, which is an **Type 1 action**, and that committee recommends that there are no significant adverse environmental impacts relative to the criteria found in 6 NYCRR §617.d, and further recommends that the lead agency issue a **Negative Declaration** for the purposes of Article 8 of the Environmental Conservation Law in accordance with §617.12.

NAME AND ADDRESS OF LEAD AGENCY

Lancaster Town Board
21 Central Avenue
Lancaster, New York 14086
Thomas E. Fowler, Jr., Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed local law amendment affects 3.7 acres of land.

The location of the premises being reviewed is 6130 Broadway, S.B.L. 116.00-3-3.1, Lancaster, New York 14086, Erie County.

This project affects .97 acre physically disturbed area.

**THE FOLLOWING MOTION TO OFFER A NEGATIVE DECLARATION WAS OFFERED
BY MEMBER GORSKI, WHO MOVED ITS ADOPTION, SECONDED BY MEMBER
KEEFE,
TO WIT:**

REASONS SUPPORTING RECOMMENDATION

- 1. Impact on land – No impact.**
- 2. Impact on Geological Features – No impact**
- 3. Impacts on Surface Water – No impact**
There are Federal wetlands on the property.
- 4. Impact on Groundwater – No impact**
- 5. Impact on Flooding – No impact**
- 6. Impact on Air – No impact**
- 7. Impact on Plants and Animals – No impact**
- 8. Impact on Agricultural Resources – No impact**
Impact is limited to 1 acre of land, the remainder of the lot is zoned AR-Agricultural Residential.
- 9. Impact on Aesthetic Resources – No impact**
- 10. Impact on Historic and Archeological Resources – No impact**
- 11. Impact on Open Space and Recreation – No impact**
- 12. Impact on Critical Environmental Areas – N/A**
 - The Town of Lancaster has not established a Critical Environmental Area (CEA).
- 13. Impact on Transportation – No impact**
- 14. Impact on Energy – No impact**

- 15. Impact on Noise, Odor and Light – No impact**
- 16. Impact on Human Health – No impact**
- 17. Consistency with Community Plans – No impact.**
- 18. Consistency with Community Character – No impact.**

and,

BE IT FURTHER

RESOLVED, that the Planning Board recommendation be sent to the Town Board, for its review and consideration as the lead agency for the Action.

The question of the adoption of the foregoing Recommendation was duly put to a vote which resulted as follows:

REBECCA ANDERSON, PLANNING BOARD MEMBER	VOTED YES
JOHN COPAS, PLANNING BOARD MEMBER	EXCUSED
ANTHONY GORSKI, PLANNING BOARD MEMBER	VOTED YES
JOSEPH KEEFE, PLANNING BOARD MEMBER	VOTED YES
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER	VOTED YES
MICHAEL REINHOLD, PLANNING BOARD MEMBER	VOTED YES
CARLO DIRIENZO, PLANNING BOARD CHAIR	VOTED YES

The Motion to recommend was thereupon adopted.

January 18, 2023

REZONE & SITE PLAN REVIEW – PROJECT #2158, M.P. CAROLL HARDWOOD EXECUTIVE OFFICE AND STORAGE FACILITIES, LOCATED AT 6130 BROADWAY, S.B.L. 116.00-3-3.1. DEVELOPMENT WILL CONSIST OF APPROXIMATELY 6,000 SQ FT STORAGE BUILDING FOR MATERIAL STORAGE. ADDITIONAL SITE IMPROVEMENTS INCLUDE ASPHALT PAVEMENT, AN ONSITE SEPTIC SYSTEM AND STORMWATER INFRASTRUCTURE.

Mike Metzger of Metzger Civil Engineering and Michael Carroll reviewed the Rezone and Site Plan application. The rezone application was originally submitted to rezone the entire 44 acre parcel and was then amended to only rezone the area affected by the site plan of 3.7 acres. The site plan has been amended to conform with adjustment to rezone and suggestions of the Planning Board. The outside reviewing agencies such as Department of Environment and Planning asked to give thought on open space and work permits are still needed from DOT and Erie County Health. Erie County Water Authority will require a backflow preventor to be approved. The perimeter of the disturbed area needs to follow guidelines for erosion control and this will assist in identifying the perimeter of the project and keep it under one acre. A storm water management agreement will be needed prior to review by the Town Board.

DETERMINATION

A motion was made by Anthony Gorski to recommend the rezoning of 3.7 acres of S.B.L. 116.03.1 for the purpose of project # 2158, M.P. Carroll Hardwood Executive Office and Storage Facilities to the Town Board. Motion seconded by Michael Reinhold.

Roll call as follows:

Chair DiRienzo-Yes

Joseph Keefe-Yes

Rebecca Anderson-Yes

Lawrence Korzeniewski-Yes

John Copas-Excused

Michael Reinhold-Yes

Anthony Gorski-Yes

Motion carried.

DETERMINATION

A motion was made by Lawrence Korzeniewski to recommend the Site Plan of S.B.L. 116.03.1, 6130 Broadway Project # 2158, M.P. Carroll Hardwood Executive Office and Storage Facilities to the Town Board. Motion seconded by Anthony Gorski.

Roll call as follows:

Chair DiRienzo-Yes

Joseph Keefe-Yes

Rebecca Anderson-Yes

Lawrence Korzeniewski-Yes

John Copas-Excused

Michael Reinhold-Yes

Anthony Gorski-Yes

Motion carried.

AMENDED SITE PLAN REVIEW – PROJECT #0269, TOOL RANCH, S.B.L. 105.04.1, LOCATED AT 3857 WALDEN AVENUE. INSTALLATION OF A NEW GRAVEL PARKING LOT.

Applicant has asked to be removed from the agenda. Under the SEQR guidelines the review of the project should begin. There is information regarding the drainage and landscaping which need to be submitted.

Planning Board Minutes

SEQR Review

January 18, 2023

The Planning Board held its meeting at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 18th day of January 2023 at 7:34p.m. and there were

PRESENT: REBECCA ANDERSON, PLANNING BOARD MEMBER
ANTHONY GORSKI, PLANNING BOARD MEMBER
JOSEPH KEEFE, PLANNING BOARD MEMBER
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER
MICHAEL REINHOLD, PLANNING BOARD MEMBER
CARLO DIRIENZO, PLANNING BOARD CHAIR

EXCUSED: JOHN COPAS, PLANNING BOARD MEMBER

ALSO PRESENT: DAVID MAZUR, TOWN COUNCILMEMBER
MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER
EDWARD SCHILLER, ENGINEER, WM. SCHUTT & ASSOC.
EMILY ORLANDO, DEPUTY TOWN ATTORNEY
CYNTHIA MACIEJEWSKI, RECORDING SECRETARY

PURPOSE OF MEETING:

**IN THE MATTER OF THE STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) OF THE
TOOL RANCH**

3857 WALDEN AVENUE, S.B.L. 105.00-1-4.1

The Planning Board reviewed the Short Environmental Assessment Form with an item for item review and discussion of the project impact and magnitude as outlined on the Short Environmental Assessment Form entitled "Part 2 Impact Assessment" which was provided to each member.

PLEASE TAKE NOTICE, that the Planning Board of the Town of Lancaster, acting as an advisory committee to provide input to the Town Board, the designated lead agency under the State Environmental Quality Review Act (SEQRA), has reviewed the following described proposed action, which is an **unlisted** action, and that committee began a review which was tabled pending additional information.

NAME AND ADDRESS OF LEAD AGENCY

Lancaster Town Board
21 Central Avenue
Lancaster, New York 14086
Thomas Fowler Jr., Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed project parcel consists of 5.6 acres of land.

The location of the project is 3857 Walden Avenue Lancaster, New York 14086, Erie County.

This project described affects 1 acre physically disturbed area.

THE FOLLOWING MOTION TO TABLE UNTIL ADDITIONAL INFORMATION IS SUPPLIED WAS OFFERED BY MEMBER ANDERSON, WHO MOVED ITS ADOPTION, SECONDED BY MEMBER KEEFE,

TO WIT:

REASONS SUPPORTING RECOMMENDATION

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? **No impact.**
2. Will the proposed action result in a change in the use or intensity of use of land?
No impact
3. Will the proposed action impair the character or quality of the existing community?
No impact
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? **The Town of Lancaster has not established a Critical Environmental Area (CEA).**
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway? **No impact**
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? **No impact**
7. Will the proposed action impact existing:
 - a. Public/private water supplies? **No impact**
 - b. Public/private wastewater treatment utilities? **No impact**
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? **No impact**

9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?

More information is needed

10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? **More information is needed**

11. Will the proposed action create a hazard to environmental resources or human health?

No impact

and,

BE IT FURTHER

RESOLVED, that the Planning Board sends no recommendation to the Town Board, at this time for its review and consideration as the lead agency for the Action.

The question of the adoption of the foregoing Recommendation was duly put to a vote which resulted as follows:

REBECCA ANDERSON, PLANNING BOARD MEMBER	VOTED YES
JOHN COPAS, PLANNING BOARD MEMBER	EXCUSED
ANTHONY GORSKI, PLANNING BOARD MEMBER	VOTED YES
JOSEPH KEEFE, PLANNING BOARD MEMBER	VOTED YES
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER	VOTED YES
MICHAEL REINHOLD, PLANNING BOARD MEMBER	VOTED YES
CARLO DIRIENZO, PLANNING BOARD CHAIR	VOTED YES

The Motion to TABLE was thereupon adopted.

January 18, 2023

Other Items Discussed:

The winter series of webinars are on line to view including one on SEQR and another on Planning Board Overview and County referral.

Council member Mazur is progressing on the RV code and it will come before the Planning Board for review.

The Subdivision Regulations booklet does need to be reviewed and revised to conform with current code and design standards.

A One Drive or shared file for Planning Board documents was discussed but overall the distribution of the paper files will continue instead of electronic files. An electronic copy could be included on the application for submittal with the paper plans. Most government agencies are accepting electronic files.

The SEQR review process will be revised. Coordination will be conducted as per guidelines and

the responsibility of collection of approvals will be more on the applicant to allow them to proceed in process. Type 1 actions will be coordinated but an unlisted action does not need to be coordinated and will not have a 30 waiting period.

Motion to adjourn the meeting by Chair DiRienzo at 7:55p.m. and seconded by Rebecca Anderson. Motion approved.

Town of Lancaster

TOWN PLANNING BOARD
21 Central Avenue
Lancaster, New York 14086

MEMO

TO: Honorable Town Board
Town of Lancaster

FROM: The Town of Lancaster Planning Board

DATE: January 18, 2023

RE: M.P. Carroll Hardwood Executive Office and Storage Facilities

PROJECT #: 2158

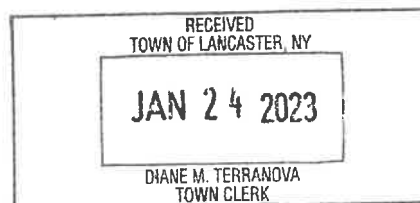
LOCATION: 6130 Broadway, S.B.L. #116.00-3-3.1

TYPE: Site Plan Review

RECOMMENDATION: APPROVE
Roll call vote:
Chair DiRienzo-Yes
Rebecca Anderson-Yes
John Copas-Excused
Anthony Gorski-Yes
Joseph Keefe-Yes
Lawrence Korzeniewski-Yes
Michael Reinhold-Yes

CONDITION: N/A

CONCERNS: N/A



Town of Lancaster

TOWN PLANNING BOARD
21 Central Avenue
Lancaster, New York 14086

MEMO

TO: Honorable Town Board
Town of Lancaster

FROM: The Town of Lancaster Planning Board

DATE: January 18, 2023

RE: M.P. Carroll Hardwood Executive Office and Storage Facilities

PROJECT #: 2158

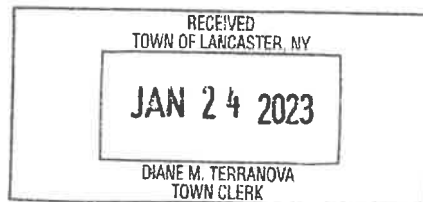
LOCATION: 6130 Broadway, S.B.L. #116.00-3-3.1

TYPE: Rezone

RECOMMENDATION: APPROVE
Roll call vote:
Chair DiRienzo-Yes
Rebecca Anderson-Yes
John Copas-Excused
Anthony Gorski-Yes
Joseph Keefe-Yes
Lawrence Korzeniewski-Yes
Michael Reinhold-Yes

CONDITION: N/A

CONCERNS: N/A





Town of Lancaster

BUILDING DEPARTMENT
21 CENTRAL AVENUE
LANCASTER, NEW YORK 14086
716-684-4171
FAX 685-5317

1/25/2023

Honorable Town Board
Town of Lancaster
21 Central Avenue
Lancaster, NY 14086

RE: 6479 Broadway St. Special Use Permit Renewal

The renewal request for a Home Occupation (Accounting for Sewer Maintenance Company) was reviewed and an onsite inspection was completed on January 25, 2023.

The property was found compliant with the original approvals.

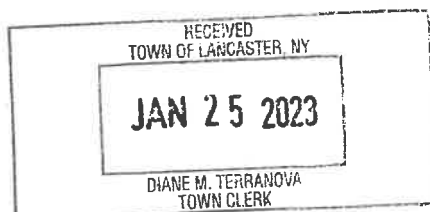
Renewal is appropriate at this time with the original 5 conditions.

Sincerely,

Matt Fischione, Code Enforcement Officer/ZEO/CFM/SMO
Town of Lancaster Building and Zoning Department

MF

cc: Thomas Fowler, Jr., Town Attorney
Diane Terranova, Town Clerk





Town of Lancaster

BUILDING DEPARTMENT
 21 CENTRAL AVENUE
 LANCASTER, NEW YORK 14086
 716-684-4171
 FAX 685-5317

1/25/2023

The Honorable Town Board
 Town of Lancaster
 21 Central Ave.
 Lancaster, NY 14086

Re: Special Use Permit
Margarita's Mexican Restaurant
4725 Transit Rd., SBL#126.54-1-59

An application for Special Use Permit has been reviewed per TC, Chapter 400-78 F to operate a Restaurant with Outside Dining as permitted in a GC Zoning District.

The space is currently under renovations to accommodate the new Occupancy that includes an outdoor Pergola Structure.

The issuance of a Special Use Permit is appropriate with the following conditions.

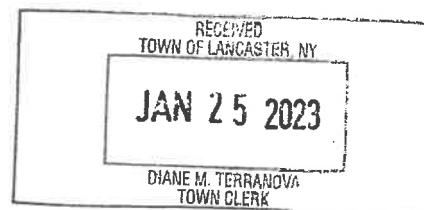
- The hours of operation be limited to open business hours or no later than 10 pm.
- No amplified sound transmitted to the outside dining area.
- The occupant submits copies of any business and/or Erie County Health Dept. licenses to the Town Clerk.
- Renewal of this permit at 2-year intervals with no cost to the applicant.

Sincerely,

Matt Fischione, Code Enforcement Officer/ZEO/CFM/SMO
 Town of Lancaster Building Department

MF

Cc: Thomas Fowler, Jr., Town Attorney
 Diane Terranova, Town Clerk



DIANE M. TERRANOVA, TOWN CLERK
TOWN OF LANCASTER
21 CENTRAL AVE.
LANCASTER, N.Y. 14086
AREA CODE 1-716 683-9028

87

COPY

Lancaster Bee - fax # 633-8601
Buffalo News - fax # 856-5150

DIANE M. TERRANOVA, TOWN CLERK
Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
683-9028

onf

PRESS RELEASE

January 25, 2023

Lancaster Town Clerk Diane M. Terranova announced today a work session for the purpose of conducting Site Plan Concept Review for 5666 Broadway and 5309 Genesee Street will be held on February 6, 2023 at 6:15 PM. The meeting will be held in the Town Board Chambers, Lancaster Town Hall, 21 Central Avenue, Lancaster, New York.

Post on Bulletin board

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January 25, 2023

Re: Public Participation Session, January 17, 2023

To the Supervisor and the Honorable Member of the Lancaster Town Council:

I am very troubled with the Supervisor's conduct during the January 17, 2023 Public Participation session of the Lancaster Town Board.

During that session, it would seem that the Supervisor preemptively attempted to deprive a public commenter from expressing its opinions, and apparently did so in solely in anticipation of being "pounded" by the commenter.

I have noticed that some on social media are also critical of the Supervisor's performance, and specifically referenced the 9th Circuit's ruling in *White v. City of Norfolk*. That citation appears to be very applicable in the issue(s) presented herein.

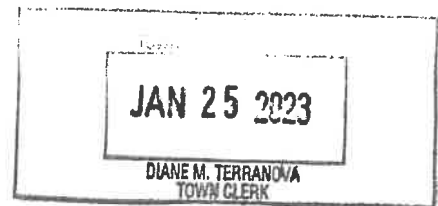
However, in *White*, the issue of pre-emptive assertion seems to be non-existent, and in that connection, I submit that the Supreme Court's more generalized ruling in *Perry Educ. Ass'n v. Perry Educators' Ass'n*, 460 U.S. 37 (1983), may have equal, or perhaps even more value and relevance to the circumstances attending the January 17, 2023 Town Council session.

In that connection, some may consider the Supervisor's behavior referenced-above, to have been arbitrary as well as wantonly self-serving. From a town liability standpoint, some may even consider the Supervisor's conduct to have been reckless.

I urge the Lancaster Town Council and the Lancaster Town Attorney to fully look into this matter, and if necessary, take remedial steps to avoid such future occurrences.

Yours very truly,

Mark Blazejewski



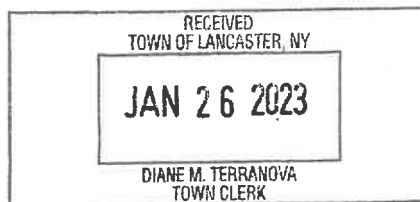


Department of Public Service

Three Empire State Plaza, Albany, NY 12223-1350
www.dps.ny.gov

Public Service Commission
Rory M. Christian
Chair and
Chief Executive Officer

Diane X. Burman
James S. Alesi
Tracey A. Edwards
John B. Howard
David J. Valesky
John B. Maggiore
Commissioners



January 20, 2023

Dear Community Leader/Elected Official:

The New York State Department of Public Service (DPS) and Consumer Advocate are seeking public comment regarding alleged billing, meter reading, and customer service issues affecting customers of New York State Electric and Gas Corporation (NYSEG) and Rochester Gas and Electric Corporation (RG&E). NYSEG and RG&E (collectively, the Companies) serve customers in 46 counties in upstate and western New York.

To ensure full public participation, the Public Service Commission will hold virtual public forums on **January 31, 2023**, and in-person forums on **February 1, 7, and 8, 2023** to solicit input and comments from your community regarding the issues. The enclosed announcement provides detailed information on how to participate in the forums and how to submit comments. Information regarding this matter, including a copy of the issues, can be found at www.dps.ny.gov. From the homepage, click on "Search," and enter the associated matter number (23-00068) in the "Search by Case Number" field.

I would appreciate your assistance with informing your constituents about the public forums and encouraging them to provide comments. It is the Commission's intent to facilitate and encourage active and meaningful participation throughout all its proceedings. We hope you will consider joining us.

Regards,

Richard Berkley
Consumer Advocate and Director
Office of Consumer Services

Enc.

STATE OF NEW YORK
DEPARTMENT OF PUBLIC SERVICE

MATTER 23-00068 - In the Matter of Staff's Investigation into billing, customer service, and meter reading issues affecting customers of New York State Electric and Gas Corporation and Rochester Gas and Electric Corporation.

NOTICE INVITING PUBLIC COMMENT AND ANNOUNCING PUBLIC FORUMS

(Issued January 23, 2023)

INTRODUCTION

Public comment is sought by the New York State Department of Public Service (DPS) and the DPS Consumer Advocate, regarding alleged delayed or erroneous billing, delayed or inaccurate meter reading, and customer service problems affecting customers of New York State Electric & Gas Corporation (NYSEG) and/or Rochester Gas & Electric Corporation (RG&E) (the companies). Comments submitted will become part of the official record for this matter.

To monitor utility performance, DPS Staff tracks utility customer service metrics and compiles monthly complaint statistics. DPS staff has observed a significant increase in complaints against the companies and a deterioration in the companies' customer service performance metrics in 2022 and especially since August 2022. Among other issues, customers have reported high, inaccurate, or delayed bills, which they assert are inordinately based on estimated meter readings. These problems have been compounded by the inability of customers to timely reach the companies' customer service representatives by telephone.

As a result of the clear indications of unusual amounts of complaint activity and delayed responses to customers and consumer complaints, DPS staff and the DPS Consumer Advocate

will hold in-person and virtual forums in multiple locations in the companies' service territories to gather information about these issues directly from customers. In addition, DPS staff and the DPS Consumer Advocate solicit public comments via virtual public forums and through other channels.

The purpose of the public forums is for NYSEG and RG&E customers to provide comments on billing, customer service, meter reading, and other service quality issues they have experienced, and to add to the record DPS is compiling regarding these issues. DPS staff and the DPS Consumer Advocate seek public comments responsive to the following questions:

- Have you received delayed bills or no bills for extended periods of time (e.g., more than one month)?
- If you did not receive a bill for one month or more, how long did it take to receive a bill, and did you possibly receive more than one bill as a "catch-up"?
- If you called your utility to inquire why you did not receive a bill, did you receive timely, accurate and adequate information from your utility about why you were not receiving your bill(s) and when normal billing would resume?
- If you are a customer receiving renewable energy services from a community distributed generation (CDG), have you had any issues with receiving bills, credits, or with inaccurate, delayed, or non-existent credits and billing reconciliations?
- If you are a customer with solar panels or another form of renewable energy, have you had any issues with receiving bills, credits, or with inaccurate, delayed, or non-existent credits and billing reconciliations? Or have you had troubles with demand metering?
- If you receive supply service through an Energy Service Company (ESCO), have you had any issues with receiving bills, credits, or with inaccurate, delayed, or non-existent credits and billing reconciliations?

This list is not exhaustive, and comments may be made on other issues related to the companies' performance. Please do not make personalized complaints publicly at a public forum so that you do not inadvertently reveal confidential personal

information. Instead, make any and all complaints in the manner(s) set forth below.

PLEASE TAKE NOTICE that **public forums** before DPS staff will be held to receive comments regarding billing, meter reading, and customer service problems that have affected customers of the companies since 2022, as follows:

1. VIRTUAL:

Date: Tuesday, January 31, 2023
Time: 1:00 p.m.

Electronic Access: www.webex.com
Event number: 2343 229 4895
Event password: Jan31-1pm

Phone-only Access: 518-549-0050
Access code: 2343 229 4895

Date: Tuesday, January 31, 2023
Time: 6:00 p.m.

Electronic Access: www.webex.com
Event number: 2333 158 8627
Event password: Jan31-6pm

Phone-only Access: 518-549-0050
Access code: 2333 158 8627

2. SOMERS (In-Person):

Date: Wednesday, February 1, 2023
Time: 1:00 p.m. to 3:00 p.m.
5:30 p.m. to 7:30 p.m.

Location: Heritage Hills Society
8 Heritage Hills Drive
Somers, NY 10589

3. ROCHESTER (In-Person):

Date: Tuesday, February 7, 2023
Time: 1:00 p.m. to 3:00 p.m.
6:00 p.m. to 8:00 p.m.

Location: Rochester City Hall - Council Chambers
30 Church St.
Rochester, NY 14614

4. BINGHAMTON (In-Person):

Date: Wednesday, February 8, 2023
Time: 1:00 p.m. to 3:00 p.m.
6:00 p.m. to 8:00 p.m.

Location: Binghamton State Office Building
First Floor Conference Room
44 Hawley St.
Binghamton, NY 13901

At the public forums, those wishing to comment on the companies and the questions presented above will have an opportunity to do so on the record. Commenters may be asked follow-up or clarifying questions by DPS staff. Members of the public may attend whichever forum is convenient and attendance is not limited to customers of the utilities.

Any person wishing to provide a public comment on the record at the virtual forums must pre-register by 12:00 p.m. on January 30, 2023.

To register electronically: Participants who would like to provide a comment and will log in to a virtual forum electronically may register at www.webex.com and then click "Join A Meeting" at the top right-hand corner of the screen and enter the appropriate event number listed above and provide all requested information.

To register by phone: Any participant who is unable to participate electronically, may participate by phone. Call-in participants wishing to provide a statement must register to do so in advance by calling **1-800-342-3330** and provide the requested information.

On the date and time of the virtual forums, electronic participants should visit www.webex.com and enter the

appropriate event log in number. All call-in users should dial **518-549-0500** and enter the relevant access code listed above.

Persons with disabilities requiring special accommodations should call the DPS' Human Resources Management Office at (518)474-2520 as soon as possible. TDD users may request a sign language interpreter by placing a call through the New York Relay Service at 711.

Individuals that may need a language accommodation are encouraged to call the Department at 1-800-342-3377 for free language assistance services regarding this notice.

Other Ways to Comment:

For those who cannot attend or prefer not to speak at a public forum, there are several other ways to provide your comments. Comments should refer to Matter 23-00068, NYSEG/RG&E Billing Investigation.

Via Internet or mail: The Department of Public Service will launch a dedicated comment form on www.dps.ny.gov by January 31, 2023. Alternatively, comments may be mailed to Hon. Michelle L. Phillips, Secretary, New York State Department of Public Service, 3 Empire State Plaza, Albany, New York 12223-1350. All written comment will become part of the record considered by the Commission in this matter and may be accessed on the Department's website in Matter 23-00068.

Toll-free Opinion Line: Comments may be submitted by calling the Department of Public Service's Opinion Line at 1-800-335-2120. This number is designed to take comments about pending matters from in-state callers 24 hours a day. These comments are not transcribed verbatim, but a summary is provided to the Commission.

Filing a Consumer Complaint

If you wish to file a complaint about your utility service, you may contact DPS at www.dps.ny.gov/complaints, 1-800-342-3377 (Monday - Friday, 8:30 a.m. - 4:00 p.m.) or by writing to Office of Consumer Services, 3 Empire State Plaza, 4th Floor, Albany, New York 12223. Please include as much information as possible with your complaint.

(SIGNED)

MICHELLE L. PHILLIPS
Secretary



Town of Lancaster

BUILDING DEPARTMENT
21 CENTRAL AVENUE
LANCASTER, NEW YORK 14086
716-684-4171
FAX 685-5317

1/26/2023

Honorable Town Board
Town of Lancaster
21 Central Avenue
Lancaster, NY 14086

**RE: Home Occupation Special Use Permit
10 Sussex Ln., Lancaster, NY 14086**

The request for renewal of a Home Occupation Special Use Permit at 10 Sussex Ln., Lancaster, NY 14086 has been site inspected and found compliant to the original approval.

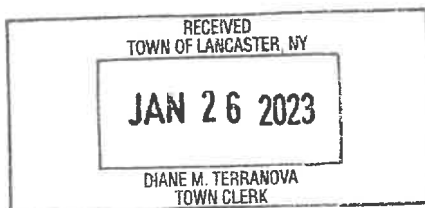
It is appropriate to renew the Home Occupation (Mortgage Broker Office) Special Use Permit with the original conditions.

Sincerely,

Matt Fischione, Code Enforcement Officer/ZEO/CFM/SMO
Town of Lancaster Building and Zoning Department

MF

CC: Thomas Fowler, Jr., Town Attorney
Diane Terranova, Town Clerk





Town of Lancaster

BUILDING DEPARTMENT
21 CENTRAL AVENUE
LANCASTER, NEW YORK 14086
716-684-4171
FAX 685-5317

1/26/2023

The Honorable Town Board
Town of Lancaster
21 Central Ave.
Lancaster, NY 14086

Re: Special Use Permit Renewal
Joe Basil Chevrolet, Inc.
5077 Transit Rd.

The property at 5077 Transit Rd. was inspected for a Special Use Permit renewal per Chapter 400-78 of the Code of the Town of Lancaster to operate an Inventory and Part Storage Facility as permitted, in the General Commercial Zoning District, by Joe Basil Chevrolet, Inc.

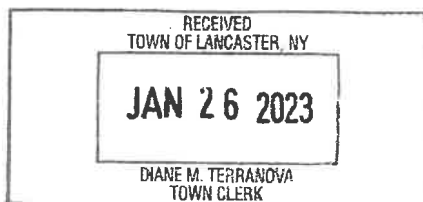
The renewal is appropriate and pending an approval of an Amended Site Plan Review, shall be made to include Classic Car Sales and Storage.

Sincerely,

Matt Fischione, Code Enforcement Officer/ZEO/CFM/SMO
Town of Lancaster Building and Zoning Department

MF

Cc: Thomas Fowler, Jr., Town Attorney
Diane Terranova, Town Clerk



T.C. Comm.
(P2)

January 25, 2023

To Whom It May Concern:

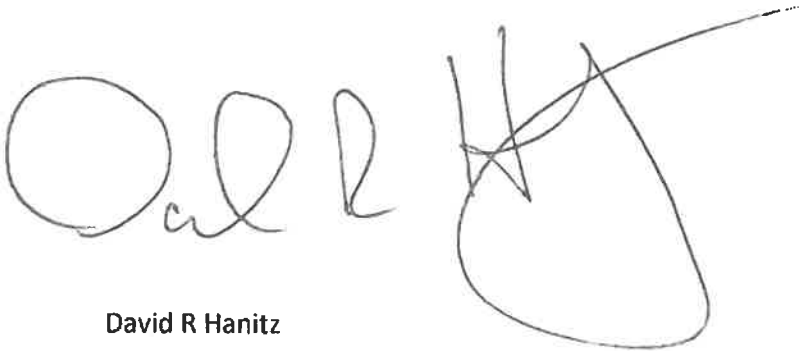
Per a request from the Lancaster Town Judge, who oversees Court Officers, I regretfully submit my resignation.

My availability does not allow me the flexibility to be present for Tuesday daytime Court sessions, but I have proudly served the Court as scheduled and needed on Thursday evenings since my appointment.

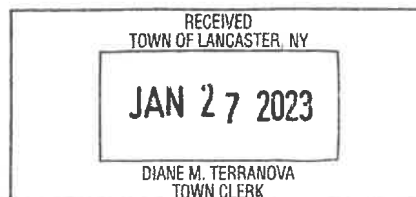
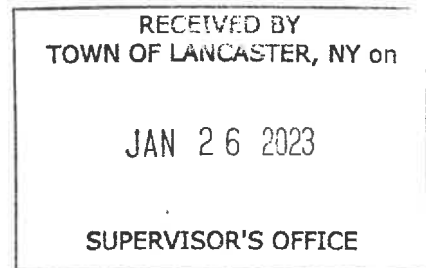
I was informed on 1/24/23 that this circumstance is no longer acceptable. I want it to be clear this resignation IS NOT the result of poor job performance, a policy violation, disciplinary event, or other negative event that would reflect poorly on my record.

This resignation is effective immediately.

Respectfully Submitted



David R Hanitz



SUPERVISOR
Ronald Ruffino Sr.

COUNCIL MEMBERS
Adam Dickman
David Mazur
Robert Leary
Mark Burkard



93
Deputy Highway Superintendent
Michelle Barbaro

525 Pavement Road
Lancaster, NY 14086
716-684-3320 phone
716-685-3497 fax

January 26, 2023

COMMUNICATIONS

Honorable Town Board
Town of Lancaster
21 Central Avenue
Lancaster, NY 14086

Dear Honorable Town Board:

I would appreciate your support in sponsoring a resolution to replace the Variable Speed Drive for the B & G Pump at the Highway Garage. This is an emergency job as currently only one pump is working. This job will be performed by Mollenberg-Betz, Inc., 300 Scott St, Buffalo, NY, 14204. The total cost for this job is \$2,998.00. The funds for this will be taken out of Account 01-1620-0426, Building Repairs & Maintenance. I have attached all necessary insurance certificates.

Should you require any further information, please do not hesitate to contact me.

Respectfully yours,

Michelle Barbaro
Deputy Highway Superintendent
Town of Lancaster

MB/jw

Enc

Cc: Ronald Ruffino, Town Supervisor
Thomas Fowler, Jr, Town Attorney
Diane Terranova, Town Clerk

RECEIVED BY
TOWN OF LANCASTER, NY on

JAN 26 2023

SUPERVISOR'S OFFICE

RECEIVED
TOWN OF LANCASTER, NY

JAN 27 2023

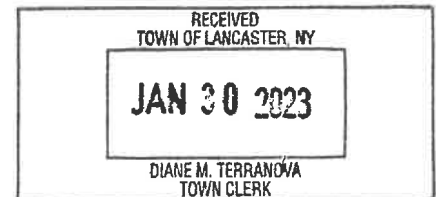
DIANE M. TERRANOVA
TOWN CLERK

94



Mark Meyerhofer
Senior Director
Government Affairs

January 30, 2023



Re: Charter Communications Notification

Dear Municipal Official:

This letter will serve as notice that on or around March 1, 2023, Spectrum Northeast, LLC ("Spectrum"), will launch Stellar TV in high definition on SPP Select, channel 178, on the channel lineup serving your community.

To view a current Spectrum channel lineup visit www.spectrum.com/channels.

If you have any questions, please feel free to contact me at 716-686-4446 or via email at Mark.Meyerhofer@charter.com.

Sincerely,

A handwritten signature in cursive script that reads "Mark Meyerhofer".

Mark Meyerhofer
Senior Director, Government Affairs
Charter Communications

TOWN CLERK ANNUAL REPORT
JANUARY 1, 2022 to DECEMBER 31, 2022

TC

95

Account#	Account Description	Fee Description	Qty	Local Share
A1255	Conservation	Conservation	185	1,935.43
	Town Clerk Fees	Marriage License Fee	255	4,462.50
		Sub-Total:		\$6,397.93
A2189	Storm Water Pollution Prevention	Storm Water Pollution Prevention	11	10,100.00
		Sub-Total:		\$10,100.00
A2401	Interest Savings	Interest Savings	14	152.03
		Sub-Total:		\$152.03
A2530	Racing & Wagering Fees	Bell Jar License	8	80.00
		Raffle License	2	20.00
		Sub-Total:		\$100.00
A2540	Racing & Wagering Fees	Bingo License	364	2,730.00
		Bingo Proceeds	200	7,388.17
		Sub-Total:		\$10,118.17
A2544	Dog License & Redemption Fees	Dog Redemption	44	1,415.00
		Exempt Dogs	20	0.00
		Female, Spayed	2354	28,248.00
		Female, Unspayed	251	4,267.00
		Male, Neutered	2147	25,752.00
		Male, Unneutered	297	5,049.00
		Replacement Tags	25	75.00
		Late Fee	773	5,295.00
	Senior Discount	Senior Discount	949	-7,544.00
		Sub-Total:		\$62,557.00
A2570	Subdivision Review Fees	Review Subdivision	7	9,025.00
		Sub-Total:		\$9,025.00
A2580	PIP & Application	PIP Permit Application	6	3,000.00
		Sub-Total:		\$3,000.00
A2655	E-ZPass	E-ZPass	23	575.00
		Sub-Total:		\$575.00
A2770	Photos, Street Maps, Zone M&B	Copy Photo Request	27	575.81
		Map - Town	7	42.00
	Returned Check Fee	Returned Check Fee	3	60.00
		Sub-Total:		\$677.81
B1560	Safety Inspection Fees	Fire Code	93	9,135.00
		Fire Works	1	100.00
		Sub-Total:		\$9,235.00
B1603	Vital Statistics Fee	Copy Birth Certificate	23	220.00
		Copy Death Certificate	2288	22,652.00
		Copy Genealogy	1	10.00
		Copy Marriage Certificate	528	2,850.00

Account#	Account Description	Fee Description	Qty	Local Share
		Sub-Total:		\$25,732.00
B2110	Solid Waste Collection	Solid Waste Collection	2	1,300.00
	Zoning Fees	Hearing - Zoning Board	67	14,585.00
		Hearing Rezone Petition	3	5,275.35
		Hearing Special Use Permit	14	13,800.00
		Review Co-Location	3	6,750.00
		Zoning Inspection/Compliance	22	1,155.00
		Sub-Total:		\$42,865.35
B2501	Video Game Room	Video Game Room	1	600.00
		Sub-Total:		\$600.00
B2555	Building & Alteration Permits	Building	1363	235,812.95
		Commercial Truss	9	450.00
		Occupancy	98	9,900.00
		Plumbing	97	4,499.50
		Res. Truss	10	500.00
		Sign	32	1,396.00
	Flood Plain	Flood Plain	4	1,200.00
		Sub-Total:		\$253,758.45
B2570	Commercial Site Plan Review	Review Commercial Site Plan	20	35,725.00
		Sub-Total:		\$35,725.00
B2590	Permits Other	Dumping	2	200.00
		Sub-Total:		\$200.00
CM-PAF	Police Fund	Police Fund	2	29,400.00
		Sub-Total:		\$29,400.00
ET33-2770	Tree Planting Fees	Tree Planting	71	31,827.00
		Sub-Total:		\$31,827.00
ET37-2770	Recreation Filing Fee	Recreation Filing	68	97,500.00
		Sub-Total:		\$97,500.00
L631	Salvage/Junk Yard	Salvage/Junk Yard	3	750.00
		Sub-Total:		\$750.00
P1520	Alarm Ordinance Fees	Alarm Fees	6	400.00
		Sub-Total:		\$400.00
SG2130	Refuse & Garbage Fees	Refuse & Garbage Impact	65	10,792.90
		Refuse & Garbage Impact	3	671.25
		Sub-Total:		\$11,464.15
SG2189	Refuse & Garbage Cart Only	Refuse & Garbage Cart Only	58	5,974.00
	Refuse & Garbage Pair of Carts	Refuse & Garbage Pair of Carts	8	1,432.00
	Refuse & Garbage Tags	Refuse & Garbage Tags	1550	4,650.00
	Refuse & Garbage, Recycle Carts	Refuse & Garbage, Recycle Carts	4	412.00
	Replacement Tote	Refuse & Garbage Replacement Tote	21	1,260.00

Account#	Account Description	Fee Description	Qty	Local Share
			Sub-Total:	\$13,728.00
T0035	PIP & Inspections	PIP Inspections	7	45,732.00
			Sub-Total:	\$45,732.00
Total Local Shares Remitted:				\$701,619.89
Amount paid to:	New York State Comptroller's Office			4,245.00
Amount paid to:	NYS Ag. & Markets for spay/neuter program			6,145.00
Amount paid to:	NYS Dept. of Health Marriage Lic.			5,670.00
Amount paid to:	NYS Environmental Conservation			35,289.57
Total State, County & Local Revenues:		\$752,969.46	Total Non-Local Revenues:	\$51,349.57

To the Supervisor:

Pursuant to Section 27, Sub 1, of the Town Law, I hereby certify that the foregoing is a full and true statement of all fees and monies received by me, Diane M. Terranova, Town Clerk, Town of Lancaster during the period stated above, in connection with my office, excepting only such fees and monies, the application of which are otherwise provided for by law.

_____	_____	<i>Diane M. Terranova</i>	<i>1/30/23</i>
Supervisor	Date	Town Clerk	Date

01/10/2023

*11:59:55

Mary Nowak

Town of Lancaster

Page: 1

Miscellaneous Cash Report

For Transaction Type: Planning & Zoning
 For Fee Type: Storm Water Pollution Prevention
 Date Range: 01/01/2022 to 12/31/2022

Transaction Type	Fee Type	Receipt #	Date	Customer	Qty	Total
Planning & Zoning	Storm Water Pollution Prevention	10	11/23/2022	East, Edgewater 6026 Broadway Lancaster, NY 14086	1	\$500.00
Planning & Zoning	Storm Water Pollution Prevention	1501A	09/28/2022	LLC, Angry Buffalo Sports Ar 6000 Sheridan Drive Williamsville, NY 14221	1	\$500.00
Planning & Zoning	Storm Water Pollution Prevention	2	11/07/2022	Parking, Tool Ranch 3857 Walden Ave Lancaster, NY 14086	1	\$500.00
Planning & Zoning	Storm Water Pollution Prevention	3	01/13/2022	Change, Vavoline Instant Oil 4839 Transit Rd ,	1	\$500.00
Planning & Zoning	Storm Water Pollution Prevention	3	02/17/2022	Apartments, Plumb Creek 5680 Broadway ,	1	\$500.00
Planning & Zoning	Storm Water Pollution Prevention	3	04/25/2022	Distruting, Try-It 4155 Walden Ave ,	1	\$500.00
Planning & Zoning	Storm Water Pollution Prevention	4	12/07/2022	Development, Genesee Park La 5428 Genesee St ,	1	\$850.00
Planning & Zoning	Storm Water Pollution Prevention	5	02/17/2022	Store, Retail 5807 Broadway ,	1	\$500.00
Planning & Zoning	Storm Water Pollution Prevention	5	11/23/2022	Estates, Pine Hill Peppermint & Pavement ,	1	\$4,750.00
Planning & Zoning	Storm Water Pollution Prevention	8	11/23/2022	Building, Commerical Storage 6130 Broadway Lancaster, NY 14086	1	\$500.00
Planning & Zoning	Storm Water Pollution Prevention	GP-0-20-001	10/12/2022	Corporation, National Fuel G Erie Street	1	\$500.00
					Total Quantity:	11
					Grand Total:	\$10,100.00

From: 1/1/2022

To: 12/31/2022

DOG LICENSE MONTHLY REPORT

01/27/2023

Erie

14

Send Copy To:

Animal Population Control

Diane M. Terranova

Town of Lancaster

17

Town Clerk

LICENSE TYPES

Unspay

AND FEES

Dogs

Yrs

Seniors

Unspayed
Statutory Fee
(B)Spayed
Statutory Fee
(C)

Local Fee (D)

Late Penalty (E)

Spayed Fee (F)

Unspayed Fee (G)

1. Spay/Neuter	450	450	86	NO FEE	@ 0.00	0.00	@ 12.00	47,080.00	670 @ 5.00	4,355.00	@ 1.00	4,501.00	NO FEE
2. Unspay/Unneut	548	548	78	548	@ 0.00	0.00	@ 17.00	8,692.00	103 @ 5.00	940.00	NO FEE	NO FEE	1,644.00
3. Exemption	20	20		NO FEE	NO FEE		NO FEE		NO FEE		@ 0.00	@ 0.00	0.00
4. Purebred(1-10)	0	0	0	@ 0.00	0.00	0.00	@ 25.00	0.00	@ 5.00	0.00	@ 1.00	0.00	0.00
5. Purebred(11-25)	0	0	0	@ 0.00	0.00	0.00	@ 50.00	0.00	@ 5.00	0.00	@ 1.00	0.00	0.00
6. Purebred(26+)	0	0	0	@ 0.00	0.00	0.00	@ 100.00	0.00	@ 5.00	0.00	@ 1.00	0.00	0.00
7. TOTALS	506	506	94	548	\$0.00	\$0.00	\$55,772.00		\$5,295.00		\$4,501.00		\$1,644.00

REPLACEMENT AND PUREBRED

Column H

Column I (Local)

Column J (Statutory)

TAG ORDERS PROCESSED

Each

Tag Fees

Tag Fees

8. Replacement Tags

25

75.00

0.00

9. Purebred Tags

0

0.00

0.00

10. TOTALS

25

\$75.00

\$0.00

DISBURSEMENTS (to T.C.V.)

(to County)

(to Animal Population Control)

12. Local% of 7B + 7C

\$0.00

15. Stat% of 7B + 7C

\$0.00

18. 100% of 7F + 7G

\$6,145.00

13. Local% of 7D + 7E + 10I

\$61,142.00

16. Stat% of 10J

\$0.00

14. Total

\$61,142.00

17. Total

\$0.00

Amount paid to: County Treasurer for Dog Licenses.....

\$0.00

Amount paid to: NYS Ag. & Markets for spay/neuter program.....

\$6,145.00

LICENSE SUMMARY

1. Number of Original Standard Dog Licenses:

620

2. Number of Original Purebred Dog Licenses:

0

3. Number of Standard Renewals (including New Owner Licenses):

4,449

4. Number of Purebred License Renewals:

0

5. Total of Lines 1-3:

5,069

01/10/2023
12:00:29
Mary Nowak

Town of Lancaster

Page: 1

Miscellaneous Cash Report
For Transaction Type: Planning & Zoning
For Fee Type: Review Subdivision
Date Range: 01/01/2022 to 12/31/2022

Transaction Type	Fee Type	Receipt #	Date	Customer	Qty	Total
Planning & Zoning	Review Subdivision	1	01/13/2022	9, Cross Creek Phase 538 Pavement Rd	1	\$1,650.00
Planning & Zoning	Review Subdivision	1	06/28/2022	WNY, LLC LJ Construction 5550 William St	1	\$1,200.00
Planning & Zoning	Review Subdivision	1	09/01/2022	Subdivision, Peppermint & Pa 6111 Pavement	1	\$1,300.00
Planning & Zoning	Review Subdivision	2	07/18/2022	Lasky, Elliot 538 Pavement Rd Lancaster, NY 14086	1	\$375.00
Planning & Zoning	Review Subdivision	2	08/02/2022	minor, Wilkinson 2-lot split 10 Lancaster Pkwy Lancaster, NY 14086	1	\$750.00
Planning & Zoning	Review Subdivision	2103	09/28/2022	Domin, Jack 323 Stony Rd Lancaster, NY 14086	1	\$1,900.00
Planning & Zoning	Review Subdivision	3	11/23/2022	Esates, Pine Hill Peppermint & Pavement	1	\$1,850.00
					Total Quantity:	7
					Grand Total:	\$9,025.00

01/10/2023
12:01:35
Mary Nowak

Town of Lancaster
Miscellaneous Cash Report
For Transaction Type: Permits
For Fee Type: Fire Code
Date Range: 01/01/2022 to 12/31/2022

Page: 6

Transaction Type	Fee Type	Receipt #	Date	Customer	Qty	Total
Permits	Fire Code	5	11/28/2022	#9346, Tim Hortons 470 Aurora St Lancaster, NY 14086	1	\$50.00
Permits	Fire Code	OP2022-0004 3	06/02/2022	Region, Phantom Fireworks Ea 6707 Transit Rd Lancaster, NY 14086	1	\$25.00
Permits	Fire Code	OP2022-0004 5	11/03/2022	Landscaping, Advanced Care 4913 Transit Rd	1	\$25.00

Total Quantity: 93
Grand Total: \$9,135.00

Pmt No	Building	Plumbing	Occupancy	Signs	Other	Recreation	Trees	Safety	Conservation	Refuse	TOTALS	No Street	Town/Village	Structure
20228674	36.40										36.40	2 Nashua	Town	Er. Fence
20228675	25.00										25.00	440 Lake	Town	Er. Shed
20228678	105.00										105.00	6061 Broadway	Town	Dem. Garage
20228679	220.00										220.00	83 Stutzman	Village	Inst. Solar Panels
20228680	53.20										53.20	16 Oakwood	Town	Er. Fence
20228683	65.00										65.00	4471 Walden	Town	Inst. Generator
20228684	65.00										65.00	156 Sixth	Village	Inst. Res. Plumbing
20228685	70.00										70.00	3 Old Orchard	Town	Er. Res. Alt.
20228686				15.00							15.00	19 Main	Village	Er. Sign - Wall
20228687	34.90										34.90	10 Hidden Meadow	Town	Er. Fence
20228688	461.00										461.00	32 Maple	Village	Er. Res. Alt.
20228689	65.20										65.20	1349 Ransom	Town	Er. Fence
20228690	75.00										75.00	86 Banner	Village	Inst. Generator
20228692	45.00										45.00	12 Harold	Village	Re-Roof
Totals	235,812.95	4,499.50	9,900.00	1,396.00	950.00	97,500.00	31,827.00			11,464.15	393,349.60			

01/10/2023
12:02:44
Mary Nowak

Town of Lancaster
Miscellaneous Cash Report
For Transaction Type: Planning & Zoning
For Fee Type: Review Commercial Site Plan
Date Range: 01/01/2022 to 12/31/2022

Transaction Type	Fee Type	Receipt #	Date	Customer	Qty	Total
Planning & Zoning	Review Commercial Site Plan	7	11/23/2022	Building, Commerical Storage 6130 Broadway Lancaster, NY 14086	1	\$600.00
Planning & Zoning	Review Commercial Site Plan	9	11/23/2022	East, Edgewater 6026 Broadway Lancaster, NY 14086	1	\$1,550.00
					Total Quantity:	20
					Grand Total:	\$35,725.00

01/10/2023

12:03:42 PM

Mary Nowak

Town of Lancaster

Page: 1

General Licensing Report

For License Type: Planning & Zoning / Fee Type: PIP Inspections

Date Range: 01/01/2022 to 12/31/2022

<u>License Type/Fee Type</u>	<u>License #</u>	<u>Issue Date/ Expiration Date</u>	<u>Licensee</u>	<u>Qty/Total</u>	<u>Notes</u>
Planning & Zoning (PIP Inspections)	000800	06/02/2022	Sales, Robert James 4543 Walden ,	1.00 \$7,500.00	
Planning & Zoning (PIP Inspections)	000841	05/24/2022	Group, The Broadway 5807 Broadway ,	1.00 \$13,680.00	
Planning & Zoning (PIP Inspections)	000842	08/02/2022	9, Cross Creek Subdivisi 583 Pavement Rd Lancaster, NY 14086	1.00 \$4,500.00	
Planning & Zoning (PIP Inspections)	000843	08/02/2022	Development, Autumnwood Hickory Lane Lancaster, NY 14086	1.00 \$1,600.00	
Planning & Zoning (PIP Inspections)	000844	08/30/2022	Inc., TurboPro 1284 Town Line Lancaster, NY 14086	1.00 \$800.00	
Planning & Zoning (PIP Inspections)	000845	11/30/2022	Tube, Classic 80 Rotech Dr Lancaster, NY 14086	1.00 \$11,252.00	
Planning & Zoning (PIP Inspections)	000846	12/22/2022	Rustkote, LLC 4266 Walden Ave Lancaster, NY 14086	1.00 \$6,400.00	
Quantity Sub Total:				7	
Amount Sub Total:				\$45,732.00	
Quantity Grand Total:					7
Amount Grand Total:					\$45,732.00

Lead Agency Solicitation Letter_Cheektowaga_0 Transit_District Rezone

Good afternoon all,

On behalf of the Town of Cheektowaga, the following is being distributed under the governing policy outlined under NYCRR Part 617, Article 8 of the NYS Environmental Conservation Law (collectively "NYS SEQRA"). Please note you are receiving these items as the entity you are associated with has been either identified as a Involved Agency or Interested Agency. The items being distributed are attached in a secure link located below and include a Lead Agency Solicitation Letter with referenced documents. They are in relation to a completed rezoning application received by the Town of Cheektowaga, of which proposes a district rezone of 8.91 acres of two parcels that total 16.02 acres, listed under SBL 114.02-10-16 and 114.02-10-17, located at 0 Transit Road, Cheektowaga, NY 14043. Of which is the base action with the purpose of seeking formal approval of a new automotive dealership if the aforementioned applicant is granted the zoning district change. Please provide all comments, questions, and formal responses to the contacts outlined as directed within the Lead Agency Solicitation Letter. If you are not the appropriate party for the directory of this information, please provide the Town of Cheektowaga with the appropriate contact information for future distributions.

[LINK - Town of Cheektowaga Lead Agency Solicitation under NYS-SEQR \(0 Transit / District Rezone Application\)](#)

Sincerely,

Daniel T. Young

Town Planner

Town of Cheektowaga

Building & Plumbing Department

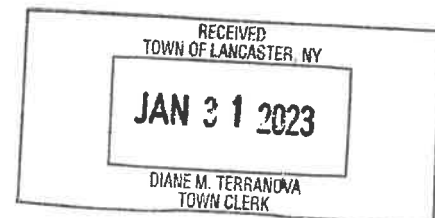
3301 Broadway

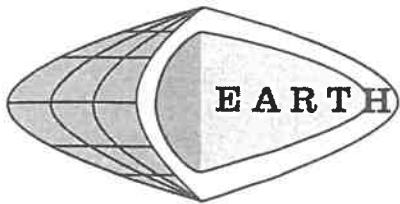
Cheektowaga, NY 14227

Phone: (716) 686-3567



Town of
Cheektowaga
New York





EARTH DIMENSIONS, INC.

Soil and Hydrogeologic Investigations • Wetland Delineations

1091 Jamison Road • Elma, NY 14059

(716) 655-1717 • EDI@earthdimensions.com

Project Code: W7G92i

August 30, 2021

Mr. Harold Keppner
Acting Chief, New York Permit Evaluation Section
Buffalo District U.S. Army Corps of Engineers
1776 Niagara Street
Buffalo, New York 14207

Mr. Charles Rosenberg
Regional Habitat Protection Manager
NYSDEC Region 9
270 Michigan Avenue
Buffalo, New York 14203

RE: 0 Transit Road
Town of Cheektowaga
Erie County, New York

Dear Mr. Keppner & Mr. Rosenberg:

On behalf of our client, TRCOM Properties I, LLC, Earth Dimensions, Inc. (EDI) is submitting the attached wetland delineation report for the above referenced 15.96± acre project site located on the west side of Transit Road in the Town of Cheektowaga, Erie County, New York. EDI identified four (4) wetlands totaling 5.94± acres and one (1) stream. We are requesting an approved jurisdictional determination and wetland boundary confirmation. It is EDI's professional opinion that the wetlands identified are not subject to Article 24 jurisdiction based on distance from the mapped Freshwater Wetland.

Please contact our office after you review the attached to schedule a site visit in order to move forward with the jurisdictional determination and wetland boundary confirmation for this project.

If you have any questions or require further information, please contact our office at (716) 655-1717 or email tsomerville@earthdimensions.com

Very truly yours,
Earth Dimensions, Inc.

Thomas Somerville
Ecologist

encl.

cc: Jim Mulka, TRCOM Properties I, LLC

T.C. Comm.

97



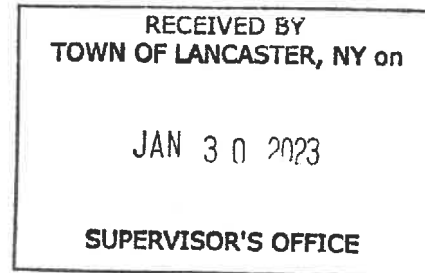
JUSTICE COURT TOWN OF LANCASTER
525 PAVEMENT ROAD
LANCASTER, NEW YORK 14086

Phone: (716) 683-1814 Fax: (716) 685-5313

Anthony J. Cervi
Town Justice

January 31, 2023

Supervisor Ronald Ruffino
Honorable Council Members
Town of Lancaster
21 Central Avenue
Lancaster, NY 14086



Dear Supervisor Ruffino and Honorable Council Members:

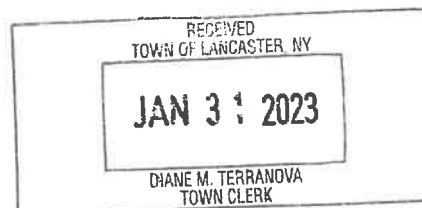
I respectfully submit the following individual for your consideration to be appointed to the position of Court Officer Part-Time in the Town Court. The position will replace a recently resigned Court Officer.

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE/HR.</u>	<u>EFFECTIVE</u>
Richard Lewis Lancaster, NY 14086	Court Officer Part-Time	\$19.10	February 6, 2023

Should you approve, I would like to request that a resolution be placed on the agenda for the Tuesday, February 6, 2023, Town Board meeting.

Sincerely,

Honorable Anthony J. Cervi



T.C. Comm.
(P)

98

Supervisor Ronald Ruffino
And Honorable Council Members
Town of Lancaster
21 Central Ave.
Lancaster, NY 14086

Dear Supervisor Ruffino and Honorable Council Members:

I respectfully submit the following individual for your consideration to be appointed to the position of part-time permanent employee in the Lancaster Dog Control Department. The position will be for 19.5 hours a week without benefits.

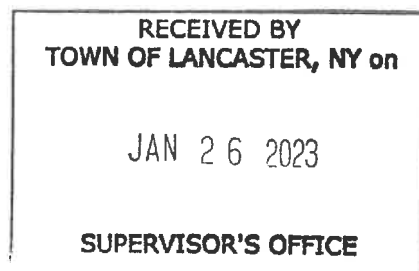
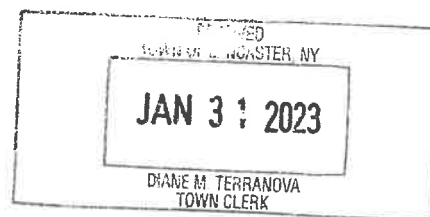
<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE/HR.</u>	<u>EFFECTIVE</u>
Donald Pionessa Sr., Dog Control Officer _____ . Lancaster, NY 14086		\$16.22	February 13, 2023

Should you approve, I would like to request that a resolution be placed on the agenda for the Monday February 13, 2023, Town Board Meeting.

Sincerely,

Jean Karn

Jean Karn
Lancaster Dog Control



DIANE M. TERRANOVA, TOWN CLERK
TOWN OF LANCASTER
21 CENTRAL AVE.
LANCASTER, N.Y. 14086
AREA CODE 1-716 683-9028

COPY

Lancaster Bee
Buffalo News

DIANE M. TERRANOVA, TOWN CLERK
Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
683-9028

bmf

PRESS RELEASE

February 1, 2023

Lancaster Town Clerk Diane M. Terranova announced today that as a courtesy to Town residents, the Tax Office will be open additional hours for the collection of Town and County taxes. The Tax Office is open Monday through Friday 8 AM to 4 PM with the additional hours as follows:

Saturday, February 11, 2023	8 AM to 2 PM
Monday, February 13, 2023	8 AM to 5 PM
Tuesday, February 14, 2023	8 AM to 5 PM
Wednesday, February 15, 2023	8 AM to 5 PM

For more information regarding Tax collection, please call the Office of the Town Clerk at 683-1328.

cc: Post on bulletin board

[https://lancasterny-my.sharepoint.com/personal/dterranova_lancasterny_gov/Documents/Desktop/press release.doc](https://lancasterny-my.sharepoint.com/personal/dterranova_lancasterny_gov/Documents/Desktop/press%20release.doc)

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SUPERVISOR
Ronald Ruffino Sr.

COUNCIL MEMBERS
Adam Dickman
David Mazur
Robert Leary
Mark Burkard



100
Deputy Highway Superintendent
Michelle Barbaro

525 Pavement Road
Lancaster, NY 14086
716-684-3320 phone
716-685-3497 fax

January 30, 2023

Honorable Town Board
Town of Lancaster
21 Central Avenue
Lancaster, NY 14086

COMMUNICATIONS

Dear Honorable Town Board:

I would appreciate your support in sponsoring a resolution for electrical work for the elevator modernization project at the Lancaster Library. This quote includes the electric, permit, electric inspections, FA testing and certification for the new upgrades to the elevator to meet the current code requirements. We received two quotes with the lowest quote being from Electric Service and Systems Installation, Inc., 35 Lee Street, Buffalo, NY 14210 in the amount of \$14,300.00. Funds for this project will be coming from the 2023 library budget line item 01-7410-0260 other capital outlay. All insurance certificates are attached.

Should you require any further information, please do not hesitate to contact me.

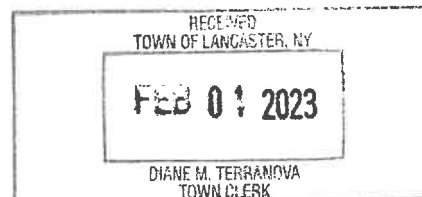
Respectfully yours.



Michelle Barbaro
Deputy Highway Superintendent
Town of Lancaster

MB
Enc.

Cc: Ronald Ruffino, Supervisor
Thomas Fowler, Attorney
Finance

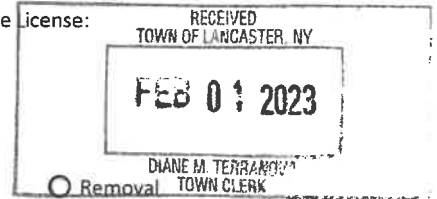


☐ Original ☐ Amended Date _____

Standardized NOTICE FORM for Providing 30-Day Advance Notice to a Local Municipality or Community Board

1. Date Notice Sent: January 31, 20231a. Delivered by: Overnight Mail, Tracking Number and Pro2. Select the type of Application that will be filed with the Authority for an On-Premises Alcoholic Beverage License:
For premises outside the City of New York:
☒ New Application ☐ Removal ☐ Class Change

For premises in the City of New York:

☐ New Application ☐ New Application and Temporary Retail Permit ☐ Temporary Retail Permit
☐ Class Change ☐ Method of Operation ☐ Corporate Change ☐ Renewal ☐ Alteration
For **New** and Temporary Retail Permit applicants, answer each question below using all information known to dateFor **Renewal** applicants, answer all questionsFor **Alteration** applicants, attach a complete written description and diagrams depicting the proposed alteration(s)For **Corporate Change** applicants, attach a list of the current and proposed corporate principalsFor **Removal** applicants, attach a statement of your current and proposed addresses with the reason(s) for the relocationFor **Class Change** applicants, attach a statement detailing your current license type and your proposed license typeFor **Method of Operation Change** applicants, although not required, if you choose to submit, attach an explanation detailing those changes**Please include all documents as noted above. Failure to do so may result in disapproval of the application.****This 30-Day Advance Notice is Being Provided to the Clerk of the Following Local Municipality or Community Board:**3. Name of Municipality or Community Board: Town of Lancaster**Applicant/Licensee Information:**

4. Licensee Serial Number (if applicable): _____ Expiration Date (if applicable): _____

5. Applicant or Licensee Name: Margaritas 1 Mexican Cantina LLC6. Trade Name (if any): Margaritas Mexican Cantina7. Street Address of Establishment: 4725 Transit Road8. City, Town or Village: Town of Lancaster, NY Zip Code: 140439. Business Telephone Number of applicant/ Licensee: 585-813-214710. Business E-mail of Applicant/Licensee: jcastaneda97@yahoo.com11. Type(s) of alcohol sold or to be sold: ☐ Beer & cider ☐ Wine, Beer & Cider ☒ Liquor, Wine, Beer & Cider12. Extent of Food Service: ☒ Full Food menu; full kitchen run by a chef/cook ☐ Menu meets legal minimum food requirements; food prep area required13. Type of Establishment: Restaurant (full kitchen and full menu required)
☐ Seasonal Establishment ☐ Juke Box ☐ Disc Jockey ☒ Recorded Music ☐ Karaoke
14. Method of Operation: (check all that apply) ☐ Live Music (give details i.e., rock bands, acoustic, jazz, etc.): _____
☐ Patron Dancing ☐ Employee Dancing ☐ Exotic Dancing ☐ Topless Entertainment

☐ Video/Arcade Games ☐ Third Party Promoters ☐ Security Personnel
☐ Other (specify): _____15. Licensed Outdoor Area: ☒ None ☐ Patio or Deck ☐ Rooftop ☐ Garden/Grounds ☐ Freestanding Covered Structure
(check all that apply) ☐ Sidewalk Cafe ☐ Other (specify): _____

OFFICE USE ONLY		
<input type="radio"/> Original	<input type="radio"/> Amended	Date _____

16. List the floor(s) of the building that the establishment is located on:
17. List the room number(s) the establishment is located in within the building, if appropriate:
18. Is the premises located within 500 feet of three or more on-premises liquor establishments? ☐ Yes ☒ No
19. Will the license holder or a manager be physically present within the establishment during all hours of operation? ☒ Yes ☐ No
20. If this is a transfer application (an existing licensed business is being purchased) provide the name and serial number of the licensee:
- | | |
|----------------------|----------------------|
| <input type="text"/> | <input type="text"/> |
| Name | Serial Number |
21. Does the applicant or licensee own the building in which the establishment is located? ☐ Yes (if YES, SKIP 23-26) ☒ No

Owner of the Building in Which the Licensed Establishment is Located

22. Building Owner's Full Name:
23. Building Owner's Street Address:
24. City, Town or Village: State: Zip Code:
25. Business Telephone Number of Building Owner:

Representative or Attorney Representing the Applicant in Connection with the Application for a License to Traffic in Alcohol at the Establishment Identified in this Notice

26. Representative/Attorney's Full Name:
27. Representative/Attorney's Street Address:
28. City, Town or Village: State: Zip Code:
29. Business Telephone Number of Representative/Attorney:
30. Business E-mail Address of Representative/Attorney:

I am the applicant or licensee holder or a principal of the legal entity that holds or is applying for the license. Representations in this form are in conformity with representations made in submitted documents relied upon by the Authority when granting the license. I understand that representations made in this form will also be relied upon, and that false representations may result in disapproval of the application or revocation of the license.

By my signature, I affirm - under **Penalty of Perjury** - that the representations made in this form are true.

31. Printed Principal Name: Title:

Principal Signature: _____





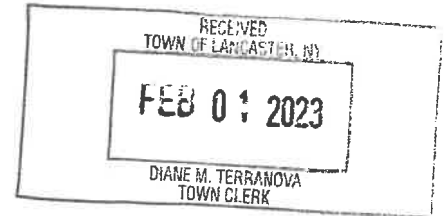
Town of Lancaster

102

BUILDING DEPARTMENT
21 CENTRAL AVENUE
LANCASTER, NEW YORK 14086
716-684-4171
FAX 685-5317

2/1/2023

The Honorable Town Board
Town of Lancaster
21 Central Ave.
Lancaster, NY 14086



Re: Special Use Permit
Take 5 Oil Change
4885 Transit Rd., Depew, NY 14043

An application for Special Use Permit has been reviewed per Chapter 400-78 of the Code of the Town of Lancaster to operate an Automotive Oil Change Facility as permitted in the GC Zoning District, TC Chapter 400-18 B (1) (a).

The Building and Zoning Dept. has completed an onsite inspection at this facility and found the building is currently vacant with no significant violations.

Issuance of the Special Use Permit shall include conditions as listed.,

- Obtaining an Operational Permit from the Building and Zoning Department upon the Business occupying the space to ensure Fire Safety and Property Maintenance compliance.
- The LED message sign must be programmed for stagnant messages at 8 second intervals. Failure to maintain will require the removal of the device upon notification by the Town Board after prescriptive proceedings, if warranted.
- Renewal of this permit at 2-year intervals with no cost to the applicant.

Sincerely,

Matt Fischione, Code Enforcement Officer/ZEO/CFM/SMO
Town of Lancaster Building and Zoning Department

MF

Cc: Diane Terranova, Town Clerk
Thomas Fowler, Jr., Town Attorney



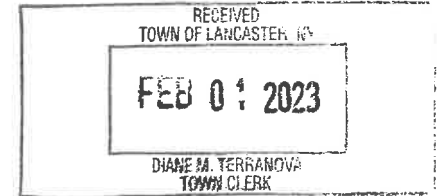
Town of Lancaster

10

BUILDING DEPARTMENT
21 CENTRAL AVENUE
LANCASTER, NEW YORK 14086
716-684-4171
FAX 685-5317

2/1/2023

The Honorable Town Board
Town of Lancaster
21 Central Ave.
Lancaster, NY 14086



Re: SPECIAL USE PERMIT RENEWAL
Gregory Sojka/Greg's Tree Service
1230 Townline Rd.

Town Board Members,

The Lancaster Building and Zoning Department has been inspected the property at 1230 Town Line Rd. and found it to be in conformance with the 2016 Special Use Permit conditions.

Renewal is appropriate for a Contractors Yard with Storage of tree grind material and firewood, in a General Industrial District as permitted in Town Code, Chapter 400-21 B (1) (h), with same 3 conditions originally listed on December 19, 2016.

Respectfully,

Matt Fischione, Code Enforcement Officer/ZEO/CFM/SMO
Town of Lancaster Building and Zoning Department

MF

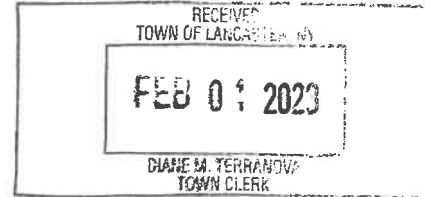
Cc: Diane Terranova, Town Clerk
Thomas Fowler, Jr., Town Attorney



Town of Lancaster

104'

BUILDING DEPARTMENT
21 CENTRAL AVENUE
LANCASTER, NEW YORK 14086
716-684-4171
FAX 685-5317



February 1, 2023

Honorable Town Board
Town of Lancaster
21 Central Avenue
Lancaster, NY 14086

**RE: Special Use Permit- Sandbanks, Gravel Pits and Stone Quarries
31 Peppermint Rd., Lancaster, NY 14086**

An application has been reviewed per Town Code, Chapter 163-18 to continue to operate a Sand and Gravel Mine, permitted by NYSDEC Permit ID 9-1452-00122/00007.

The information provided applies to a separate parcel located at 351 Pavement Rd.

Correction is necessary to validate any Mining Permit issued to date for each parcel.

Sincerely,

Matt Fischione, Code Enforcement Officer/ZEO/CFM/SMO
Town of Lancaster Building and Zoning Department

MF

CC: Thomas Fowler, Jr., Town Attorney
Diane Terranova, Town Clerk



Town of Lancaster

BUILDING DEPARTMENT
21 CENTRAL AVENUE
LANCASTER, NEW YORK 14086
716-684-4171
FAX 685-5317

2/2/2023

Drainage & Storm Sewer Committee
Town of Lancaster
21 Central Ave.
Lancaster, NY 14086

Re: MS4 Report, January 2023

Committee members,

Drainage complaints for January 2023- 3
January 2023 MS4 violations- 0

Year to date Drainage complaints- 3
Year to Date MS4 violations- 0

The pond remediation at Pleasant Meadows is still unresolved.

Another inquiry was sent to County Legislator Todaro for a status update on the 3 tax delinquent Stormwater Facilities scheduled for auction on October 6, 2022.

A report was submitted to NYSDEC Environmental Engineer, John Russell with documentation and enforcement action in response to the November 17, 2022, NFIP Community Assistance Visit.

Repair to a drainage system and outlet into a Floodway for the Sawgrass area has begun and revealed deficiencies downstream in the Prairie Landing neighborhood. Specific locations have not been identified for owner notification.

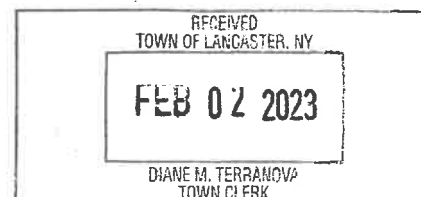
Respectfully,

Matt Fischione, Stormwater Management Officer
Town of Lancaster Building and Zoning Department

MF

Enc.

Email CC: Ed Schiller, Town Engineer



Complaint By Date

Complaint #	Location	Identifier	Complaint Type	Status	Owner	Complainant
<i>Open Date: 01/03/23</i>						
2023-0001	763 Aurora St	126.11-3-41	Drainage	Open	Anthony Cantie	
Open Date: 01/03/23 Total #: 1						
<i>Open Date: 01/27/23</i>						
2023-0071	282 Pavement Rd	105.11-1-32	Drainage	Open	Debora Whiting	Lorall Lake Homeowners Association
Open Date: 01/27/23 Total #: 1						
<i>Open Date: 01/30/23</i>						
2023-0072	478 Central Ave	93.19-3-3	Drainage	Open	Dennis Viscusi	
Open Date: 01/30/23 Total #: 1						
Grand Total: 3						

Town of Lancaster
MS4 Report
Reporting Period: January 2023

SWPPPs Active

Cross Creek
Pavement Rd Storage
Hamlet Meadows
Blackstone
Hidden Meadows

Juniper Townhouses
Plumb Creek
Pleasant Meadow Square
Summerfield Farms 8
Windsor Ridge South
455 Pleasant View Drive
149 Gunville Rd
Robert James Sales Walden Ave
73 Cemetery Rd
Cross Creek Phase 8 & 9
Cadby Industrial Park
National Fuel UNY Project
National Grid Cemetery Rd
Soil Recycling Facility
Dollar General
Try-It Distribution
5807 Broadway

SWPPPs In Review

6218 Broadway
Fieldstream Subdivision
6130 Broadway
6026 Broadway

Outstanding SWPPP/MS4 Violations

73 Cemetery Rd

Stormwater Ponds

Developed schedule for yearly Inspections required by owners
Rue Madeline – In process of rectifying ownership issue to allow maintenance by town.
Sugarbush Lane - In process of rectifying ownership issue to allow maintenance by town.
Sawgrass Lane – Residents on notice for maintenance. Awaiting remediation plan
Sterling Ct – Bid documents prepared.

MS4 Inspections

Outlet inspections being planned for 2023.
Inspecting ongoing construction projects.

DIANE M. TERRANOVA, TOWN CLERK
TOWN OF LANCASTER
21 CENTRAL AVE.
LANCASTER, N.Y. 14086
AREA CODE 1-716 683-9028

COPY

February 2, 2023

Charles A. Giambrone
QUAD 4 WHEEL DRIVE, Inc.
501 Erie Street Unit A
Lancaster, New York 14086

**Re: SPECIAL USE PERMIT
505 Erie Street Unit A**

Dear Mr. Giambrone:


According to the resolution adopted by the Town Board of the Town of Lancaster on June 7, 2021 granting you a Special Use Permit to operate an Automotive Repair Business on premises located at 505 Erie Street, this permit shall expire on April 3, 2023.

In order for you to continue in compliance, you must file a letter addressed to the Town Board, in care of the Town Clerk's Office, requesting a renewal of this permit. Please send proof of a valid New York Tax Employer Identification number, if applicable a copy of your New York State business license from the appropriate regulatory agency for the service provided.

The Code Enforcement Officer will inspect your operation to be sure of your compliance to all conditions stipulated in your permit before your Special Use Permit is renewed.

Sincerely yours,

OFFICE OF THE TOWN CLERK


Diane M. Terranova
Town Clerk

DMT/dm

Encl.

cc: M. Fischione, Code Enforcement Officer
Town Board
T. Fowler, Town Attorney

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DIANE M. TERRANOVA, TOWN CLERK
TOWN OF LANCASTER
21 CENTRAL AVE.
LANCASTER, N.Y. 14086
AREA CODE 1-716 683-9028

COPY

February 2, 2023

Robert Sugg
B & S enterprises
501 Erie Street Building 505 Unit A
Lancaster, New York 14086

**Re: SPECIAL USE PERMIT
505 Erie Street Building 505 Unit A**

COPY

Dear Mr. Sugg:

According to the resolution adopted by the Town Board of the Town of Lancaster on March 15, 2021 granting you a Special Use Permit to operate an Automotive Repair Shop on premises located at 505 Erie Street, this permit shall expire on April 3, 2023.

In order for you to continue in compliance, you must file a letter addressed to the Town Board, in care of the Town Clerk's Office, requesting a renewal of this permit. Please send proof of a valid New York Tax Employer Identification number, if applicable a copy of your New York State business license from the appropriate regulatory agency for the service provided.

The Code Enforcement Officer will inspect your operation to be sure of your compliance to all conditions stipulated in your permit before your Special Use Permit is renewed.

Sincerely yours,

OFFICE OF THE TOWN CLERK

COPY



Diane M. Terranova
Town Clerk

DMT/dm

Encl.

cc: M. Fischione, Code Enforcement Officer
Town Board
T. Fowler, Town Attorney

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DIANE M. TERRANOVA, TOWN CLERK
TOWN OF LANCASTER
21 CENTRAL AVE.
LANCASTER, N.Y. 14086
AREA CODE 1-716 683-9028

COPY

February 2, 2023

Julie and Daniel Curtis
732 Aurora Street
Lancaster, New York 14086

**Re: SPECIAL USE PERMIT
732 Aurora Street**

Dear Mr. and Mrs. Curtis:

COPY

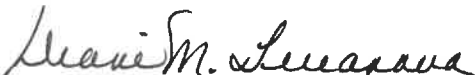
According to the resolution adopted by the Town Board of the Town of Lancaster on March 15, 2021 granting you a Special Use Permit for a Home Occupation (Woodcraft/Gift Shop – Two Chicks and a Rooster) on premises located at 732 Aurora Street, this permit shall expire on April 5, 2023.

In order for you to continue in compliance, you must file a letter addressed to the Town Board, in care of the Town Clerk's Office, requesting a renewal of this permit. Please send proof of a valid New York Tax Employer Identification number, if applicable a copy of your New York State business license from the appropriate regulatory agency for the service provided.

The Code Enforcement Officer will inspect your operation to be sure of your compliance to all conditions stipulated in your permit before your Special Use Permit is renewed.

Sincerely yours,

OFFICE OF THE TOWN CLERK


Diane M. Terranova
Town Clerk

DMT/dm

cc: M. Fischione, Code Enforcement Officer
Town Board
T. Fowler, Town Attorney

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DIANE M. TERRANOVA, TOWN CLERK
TOWN OF LANCASTER
21 CENTRAL AVE.
LANCASTER, N.Y. 14086
AREA CODE 1-716 683-9028

COPY

February 2, 2023

Penny D. Cipolla
NEC Transit William LLC
6495 Transit Road
Bowmansville, New York 14026

**Re: SPECIAL USE PERMIT
4949 Transit Road**

Dear Ms. Cipolla:

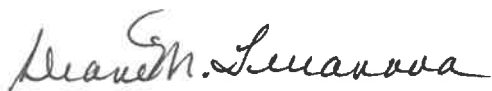
According to the resolution adopted by the Town Board of the Town of Lancaster on April 18, 2022 granting you a Special Use Permit to operate a convenience store with gas station and car wash on premises located at 4949 Transit Road, this permit shall expire on April 17, 2023.

In order for you to continue in compliance, you must file a letter addressed to the Town Board, in care of the Town Clerk's Office, requesting a renewal of this permit. Please send proof of a valid New York Tax Employer Identification number, if applicable a copy of your New York State business license from the appropriate regulatory agency for the service provided.

The Code Enforcement Officer will inspect your operation to be sure of your compliance to all conditions stipulated in your permit before your Special Use Permit is renewed.

Sincerely yours,

OFFICE OF THE TOWN CLERK



Diane M. Terranova
Town Clerk

DMT/dm

Encl.

cc: M. Fischione, Code Enforcement Officer
Town Board
T. Fowler, Town Attorney
I. Barnhill, 7-Eleven

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DIANE M. TERRANOVA, TOWN CLERK
TOWN OF LANCASTER
21 CENTRAL AVE.
LANCASTER, N.Y. 14086
AREA CODE 1-716 683-9028

February 2, 2023

Ben Broder
Project Development Manager
Catalyze
6325 Gunpark Drive, Suite C
Boulder, Colorado 80301

**Re: SPECIAL USE PERMIT
Gunnville Road**

Dear Mr. Broder:


According to the resolution adopted by the Town Board of the Town of Lancaster on April 19, 2021 granting you a Special Use Permit to install two (2) Co-located Ballasted Community Solar PV Facilities located on two (2) parcels located on Gunnville Road, this permit shall expire on April 18, 2023.

In order for you to continue in compliance, you must file a letter addressed to the Town Board, in care of the Town Clerk's Office, requesting a renewal of this permit. Please send proof of a valid New York Tax Employer Identification number, if applicable a copy of your New York State business license from the appropriate regulatory agency for the service provided.

The Code Enforcement Officer will inspect your operation to be sure of your compliance to all conditions stipulated in your permit before your Special Use Permit is renewed.

Sincerely yours,

OFFICE OF THE TOWN CLERK


Diane M. Terranova
Town Clerk

DMT/dm
Encl.

cc: M. Fischione, Code Enforcement Officer
Town Board
T. Fowler, Town Attorney
A. DeBarnadis, AC Power 14, LLC

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DIANE M. TERRANOVA, TOWN CLERK
TOWN OF LANCASTER
21 CENTRAL AVE.
LANCASTER, N.Y. 14086
AREA CODE 1-716 683-9028

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February 2, 2023

Joshua Strell
5898 Broadway
Lancaster, New York 14086

**Re: SPECIAL USE PERMIT
5898 Broadway**

Dear Mr. Strell:


According to the resolution adopted by the Town Board of the Town of Lancaster on May 3, 2021 granting you a Special Use Permit for a Home Occupation (Seasonal Rental Business) on premises located at 5898 Broadway, this permit shall expire on April 30, 2023.

In order for you to continue in compliance, you must file a letter addressed to the Town Board, in care of the Town Clerk's Office, requesting a renewal of this permit. Please send proof of a valid New York Tax Employer Identification number, if applicable a copy of your New York State business license from the appropriate regulatory agency for the service provided.

The Code Enforcement Officer will inspect your operation to be sure of your compliance to all conditions stipulated in your permit before your Special Use Permit is renewed.

Sincerely yours,

OFFICE OF THE TOWN CLERK


Diane M. Terranova
Town Clerk

DMT/dm
Encl.

cc: M. Fischione, Code Enforcement Officer
Town Board
T. Fowler, Town Attorney

COPY

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OFFICE USE ONLY

☐ Original ☐ Amended Date _____

112

49

Standardized NOTICE FORM for Providing 30-Day Advance Notice to a Local Municipality or Community Board

1. Date Notice was Sent: 02/02/2023 1a. Delivered by: Personal Delivery with Proof of Receipt

2. Select the type of Application that will be filed with the Authority for an On-Premises Alcoholic Beverage License:

☒ New Application ☐ Renewal ☐ Alteration ☐ Corporate Change ☐ Removal ☐ Class Change ☐ Method of Operation Change

For **New** applicants, answer each question below using all information known to date

For **Renewal** applicants, answer all questions

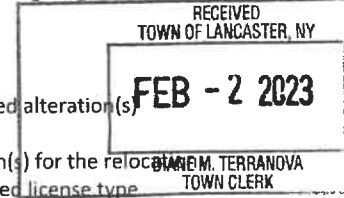
For **Alteration** applicants, attach a complete written description and diagrams depicting the proposed alteration(s)

For **Corporate Change** applicants, attach a list of the current and proposed corporate principals

For **Removal** applicants, attach a statement of your current and proposed addresses with the reason(s) for the relocation

For **Class Change** applicants, attach a statement detailing your current license type and your proposed license type

For **Method of Operation Change** applicants, although not required, if you choose to submit, attach an explanation detailing those changes



This 30-Day Advance Notice is Being Provided to the Clerk of the Following Local Municipality or Community Board:

3. Name of Municipality or Community Board: Town of Lancaster

Applicant/Licensee Information:

4. Licensee Serial Number (if applicable): _____ Expiration Date (if applicable): _____

5. Applicant or Licensee Name: Richard Jimenez

6. Trade Name (if any): El Amigo Tacos LLC

7. Street Address of Establishment: 3580 Walden Avenue

8. City, Town or Village: Lancaster, NY Zip Code: 14086

9. Business Telephone Number of Applicant/Licensee: (716) 357-0000

10. Business E-mail of Applicant/Licensee: Richard@elamigotacos.com

11. Type(s) of alcohol sold or to be sold: ☐ Beer & Cider ☐ Wine, Beer & Cider ☒ Liquor, Wine, Beer & Cider

12. Extent of Food Service:

☒ Full food menu; full kitchen run by a chef or cook ☐ Menu meets legal minimum food availability requirements; food prep area at minimum

13. Type of Establishment: Restaurant (full kitchen and full menu required)

14. Method of Operation: (check all that apply) ☐ Seasonal Establishment ☐ Juke Box ☐ Disc Jockey ☒ Recorded Music ☐ Karaoke

☐ Live Music (give details i.e., rock bands, acoustic, jazz, etc.): _____

☐ Patron Dancing ☐ Employee Dancing ☐ Exotic Dancing ☐ Topless Entertainment

☐ Video/Arcade Games ☐ Third Party Promoters ☐ Security Personnel

☐ Other (specify): _____

15. Licensed Outdoor Area: (check all that apply) ☒ None ☐ Patio or Deck ☐ Rooftop ☐ Garden/Grounds ☐ Freestanding Covered Structure

☐ Sidewalk Cafe ☐ Other (specify): _____

OFFICE USE ONLY		
<input type="radio"/> Original	<input type="radio"/> Amended	Date _____

16. List the floor(s) of the building that the establishment is located on:
17. List the room number(s) the establishment is located in within the building, if appropriate:
18. Is the premises located within 500 feet of three or more on-premises liquor establishments? ☐ Yes ☒ No
19. Will the license holder or a manager be physically present within the establishment during all hours of operation? ☒ Yes ☐ No
20. If this is a transfer application (an existing licensed business is being purchased) provide the name and serial number of the licensee:
- | | |
|----------------------|----------------------|
| <input type="text"/> | <input type="text"/> |
| Name | Serial Number |
21. Does the applicant or licensee own the building in which the establishment is located? ☐ Yes (if YES, SKIP 23-26) ☒ No

Owner of the Building in Which the Licensed Establishment is Located

22. Building Owner's Full Name:
23. Building Owner's Street Address:
24. City, Town or Village: State: Zip Code:
25. Business Telephone Number of Building Owner:

Representative or Attorney Representing the Applicant in Connection with the Application for a License to Traffic in Alcohol at the Establishment Identified in this Notice

26. Representative/Attorney's Full Name:
27. Representative/Attorney's Street Address:
28. City, Town or Village: State: Zip Code:
29. Business Telephone Number of Representative/Attorney:
30. Business E-mail Address of Representative/Attorney:

I am the applicant or licensee holder or a principal of the legal entity that holds or is applying for the license. Representations in this form are in conformity with representations made in submitted documents relied upon by the Authority when granting the license. I understand that representations made in this form will also be relied upon, and that false representations may result in disapproval of the application or revocation of the license.

By my signature, I affirm - under **Penalty of Perjury** - that the representations made in this form are true.

31. Printed Principal Name: Title:

Principal Signature:



2/2/2023